



WAYAMO
FOUNDATION

2023

ANNUAL REPORT

*Breaking the Cycle of Impunity
for International Crimes*



CONTENTS

*Strengthening justice
and accountability in Nigeria*

*Capacity building for Sudanese civil
society and legal actors: breaking the
cycle of impunity for international crimes*

Sudan online justice hub

*Breathing life into the principle of
complementarity*

Table of contents

MESSAGE FROM THE DIRECTOR page 4

ABOUT THE WAYAMO FOUNDATION page 5

STRENGTHENING JUSTICE AND ACCOUNTABILITY IN NIGERIA page 6

Project description page 6

2023 activities page 7

Main achievements page 13

**CAPACITY BUILDING FOR SUDANESE CIVIL SOCIETY AND LEGAL ACTORS:
BREAKING THE CYCLE OF IMPUNITY FOR INTERNATIONAL CRIMES** page 15

Project description page 15

2023 activities page 16

Main achievements page 41

THE AFRICA GROUP FOR JUSTICE AND ACCOUNTABILITY page 42

Members page 42

Statements and messages page 44

Activities page 48



WAYAMO ONLINE RESOURCE HUB page 50

INTERNATIONAL CONFERENCES page 52

Assembly of States Parties to the ICC, New York, USA page 52

ANNEXES page 54

Annex 1 — List of 2023 activities page 54

Annex 2 — What sets us apart page 56

Annex 3 — Wayamo Team page 57

Annex 4 — Funders 2023 page 58

Annex 5 — Publications and videos page 59

MESSAGE FROM THE DI

2023 was a difficult year for our Sudanese partners, colleagues and friends. The armed conflict that broke out between the Sudanese Armed Forces (SAF) and Rapid Support Forces (RSF) on 15 April 2023 disrupted their hopes and dreams for a democratic civilian-led Sudan. Wayamo's in-country programming was rendered impossible and many were forced to flee Sudan for their own safety. In the face of these challenges, our partners and colleagues, many of whom are now in the diaspora, have demonstrated an unwavering commitment to justice and accountability for historical and ongoing international crimes in Sudan. Wayamo remains steadfast in its commitment to empower Sudanese lawyers, and civil society actors in the vital work of addressing these crimes and human rights violations.

Within a month of the war breaking out in Sudan, Wayamo convened an expert meeting on remote documentation and open-source research methodologies, attended by Sudanese civil society actors and leading experts from the **International, Impartial and Independent Mechanism for Syria**, the **Sudanese Archive**, the **International Residual Mechanism for Criminal Tribunals**, **UN Panel of Experts/Commissions of Inquiry**, the **US State Department, Office of Global Criminal Justice** and the **Africa Group for Justice and Accountability (AGJA)**. Wayamo maintained this momentum throughout the year, holding multiple workshops and symposia on the documentation of human rights violations, exploring universal jurisdiction options in Africa and case building, and supporting our journalists' network with capacity building and the dissemination of high-quality journalism.

In 2023, AGJA was pleased to welcome two new members, **Fatou Bensouda**, former Chief Prosecutor of the International Criminal Court (ICC) from The Gambia, and **Aïchatou Mindaoudou** from Niger, the former United Nations Special Representative in Côte d'Ivoire, and former Acting Joint UN/AU Special Representative in Darfur, Sudan. Following the COVID-19 pandemic, AGJA members were able to reconvene for the first time for an in-person strategic meeting. The meeting, which was held in May 2023 in Nairobi Kenya, marked the culmination of a week-long series of events, including a symposium that AGJA co-organised with Wayamo entitled, "Transition from where? Transition to what? Exploring transitional justice efforts in an ever-changing world". In addition to these events, AGJA members were also active in other Wayamo-organised programming, capacity-building workshops and symposia throughout the year.

Wayamo continued its programme in Nigeria, supporting interagency collaboration between investigative and prosecution authorities working on Boko Haram cases, as well as mentoring and helping with the digitisation of case files for the **Complex Casework Group (CCG)**.

Together with the **United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict (UNTOE)** and the **United Nations Office on Drugs and Crime (UNODC)**, Wayamo organised a workshop for Nigerian prosecutors from the CCG and investigators from the **Joint Investigation Centre (JIC)** on Investigating and Prosecuting Conflict-Related Sexual Violence. Wayamo also partnered with the Nigerian National Human Rights Commission (NHRC) on a lecture for NHRC staff, senior CCG prosecutors, and lawyers from the International Law Department of the Ministry of Justice, on international criminal law and its domestic application with a special focus on inquiries and investigations.



IRECTOR

In December 2023, the Wayamo Foundation launched its [Sudan online justice hub](#), after several months of preparation and development. The hub is a bilingual English and Arabic website that provides a comprehensive platform, consolidating print and multimedia materials related to the ongoing conflict in Sudan, regional and international experiences with justice, and tools that empower civil society actors to respond to ongoing violations in the country.

Needless to say, our activities would not have been possible without the generous support of our donors. We are most grateful to them for their consistent support this past year, which has been essential to our progress. We value their partnership and look forward to our continued collaboration in pursuing justice and accountability for international crimes in the coming year - and beyond!

Last but not least, I would like to extend my heartfelt gratitude to the Wayamo team who worked tirelessly throughout the year to ensure that our activities were a great success.

We look forward to a more hopeful and brighter 2024! ■

Bettina Ambach

Bettina Ambach
Director, Wayamo Foundation



Wayamo gGmbH is an independent, non-profit organisation established to strengthen the rule of law, and promote justice for international and transnational crimes. It does so by:

- ▶ Building the capacity of national judicial systems
- ▶ Training judges, prosecutors, investigators, civil society actors and journalists
- ▶ Advocating transparency and accountability, often in post-conflict settings
- ▶ Facilitating and supporting dialogue between civil society and government leaders
- ▶ Creating networks of the highest-ranking investigators and prosecutors to combat international and transnational organised crimes.

ABOUT THE WAYAMO FOUNDATION

STRENGTHENING JUSTICE AND ACCOUNTABILITY IN NIGERIA

CONTEXT

Nigeria has been experiencing violent conflict between Boko Haram and government forces for over twelve 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**. Its preliminary examination focused 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.

On 11 December 2020, the Prosecutor announced the completion of her preliminary examination of the situation in Nigeria. The next step could be for the Office of the Prosecutor to request authorisation from the pre-trial chamber to open a formal investigation into the situation in Nigeria.

COMPLEMENTARITY

Through this project, Wayamo intends to continue its widely recognised work as a facilitator of complementarity, by strengthening the capacity of authorities to address international crimes domestically.

FOLLOW THE LINK TO VISIT THE PROJECT PAGE:

▶ wayamo.com/archives/our-projects/strengthening-justice-and-accountability-in-nigeria-through-capacity-building

PROJECT OBJECTIVE

This current Wayamo project, which began in December 2016, aims to strengthen justice and accountability in Nigeria, and enhance domestic capacity to investigate and prosecute core international crimes.

The training seeks to enable **Nigerian prosecutors** to carry out the prosecution of complex international crimes in a genuine manner. If Nigeria can investigate and/or prosecute the crimes allegedly committed by Boko Haram and the Nigerian security forces domestically, it will be acting in accordance with its international obligations under the Rome Statute and potentially obviate the need for ICC intervention. Domestic authorities are often best placed to prosecute nationals and deliver accountability at home, where the victims and survivors of atrocities can see justice done.

The project also includes a strong focus on gender-related issues, aiming specifically to address issues of conflict-related sexual violence, including the commission of rape, sexual assault and human trafficking.

PROJECT BENEFICIARIES

The project has the following target groups:

- ▶ Prosecutors from the Complex Casework Group (CCG), a specialised unit within the Directorate of Public Prosecutions
- ▶ Digitisation experts at the CCG
- ▶ Investigators from the Joint Investigation Centre, Maiduguri
- ▶ Nigerian journalists

ND ACCOUNTABILITY

2016

- ▶ 1 capacity-building workshop for prosecutors

14
TRAINED PARTICIPANTS

2017

- ▶ 3 capacity-building workshops for civil and military investigators and prosecutors

68
TRAINED PARTICIPANTS

2018

- ▶ 2 capacity-building workshops for civil and military investigators and prosecutors
- ▶ 1 Training-of-Trainer workshop

68
TRAINED PARTICIPANTS

2019

- ▶ 1 capacity-building workshop for civil and military investigators and prosecutors
- ▶ 2 Training-of-Trainer workshops

57
TRAINED PARTICIPANTS

2020

- ▶ 1 capacity-building workshop for civil and military investigators and prosecutors
- ▶ 2 Training-of-Trainer workshops
- ▶ 1 media workshop
- ▶ 1 high-level meeting on inter-agency collaboration

93
TRAINED PARTICIPANTS

2021

- ▶ 9 capacity-building workshops for civil and military investigators and prosecutors
- ▶ 1 Training-of-Trainer workshop
- ▶ 2 media workshops

214
TRAINED PARTICIPANTS

2022

- ▶ 4 capacity-building workshops for civilian and military investigators and prosecutors
- ▶ 3 training workshops for the digitisation team
 - ▶ 1 Training-of-Trainer workshop
 - ▶ 1 high-level meeting

79
TRAINED PARTICIPANTS

2023

- ▶ 1 capacity-building workshop for civilian and military investigators and prosecutors
 - ▶ 1 lecture on international criminal law and its domestic application with a special focus on inquiries and investigations
 - ▶ 1 capacity-building workshop
 - ▶ 1 high-level meeting

81
TRAINED PARTICIPANTS

Participants attended more than one workshop.



30 January – 3 February 2023

Abuja, Nigeria

ABUJA WORKSHOP: INVESTIGATING AND PROSECUTING CONFLICT-RELATED SEXUAL VIOLENCE

Following three successful training sessions in 2022, the Wayamo Foundation, in collaboration with the **United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict (UNTOE)** and the **United Nations Office on Drugs and Crime (UNODC)**, held its fourth workshop in Abuja from 30 January – 3 February 2023. The workshop was organised within the framework of the project, “Strengthening Nigerian capacity for the investigation and prosecution of international crimes with a special focus on conflict-related sexual violence”, which is jointly implemented by the aforementioned partners. Nigerian prosecutors from the **Complex Casework Group (CCG)** and investigators from the **Joint Investigation Centre (JIC)** came together to discuss matters of common interest, share experiences, and exchange views about the tasks confronting them in their respective spheres.



The proceedings were officially opened by Bettina Ambach, Director of the Wayamo Foundation, Sofia Candeias, UNTOE, Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, and Tom Parker, Project Coordinator for Counterterrorism Programming, UNODC. In her opening remarks, Bettina Ambach stressed that *“the added value of their collaboration was the fact that UNTOE, UNODC and Wayamo brought their own respective expertise to reach the common goal of ensuring accountability for international crimes in a counter-terrorism context”*.



The programme covered violence against children and child recruitment, the scope and applicability of International Humanitarian Law, collection, preservation and analysis of evidence on international crimes against children, the CCG's ongoing digitisation and evidence-management process, the International Criminal Court (ICC) and Nigeria, as well as conflict-related sexual violence.



Over the course of the five-day workshop, these topics were addressed by **Ulrich Garms**, Programme Officer, UNODC, **Sofia Candeias**, UNTOE, **Akingbolahan Adeniran**, former investigator and trial lawyer at the ICC, **Claus Molitor**, Situation Analyst, Office of the Prosecutor, ICC, **Dahirou Sant-Anna**, International Cooperation Advisor, Office of the Prosecutor, ICC, **Adejoké Babington-Ashaye**, International Law Expert, **Captain Ian Park**, Royal Navy United Kingdom, **Shyamala Alagendra**, former prosecution trial lawyer Special Court for Sierra Leone and ICC and currently SGBC Advisor to the UN Human Rights Office (OHCHR) Sri Lanka Accountability Project, **Kenechukwu Mbajiorgu**, National Programme Officer, UNODC, **Abiye Iruayenama**, UNODC Consultant, Mental Health and Psychosocial Support Specialist, **Raphael George**, scanning and digitisation expert, CCG, and **Rebeka Manneh Juhos**, Legal researcher and data-management expert, Wayamo Foundation.

The participants expressed their appreciation for the workshop and shared their feedback. Some key points raised during the discussion included the importance of thinking outside the box and not focusing solely on the primary crime. They emphasised the need to identify and address other related offenses. One participant stressed the value of multidisciplinary investigation teams and prosecution-led approaches, highlighting the significance of collaboration in investigations. ■



13 April 2023

Abuja, Nigeria

ABUJA LECTURE AND DISCUSSION ON INTERNATIONAL CRIMINAL LAW AND ITS DOMESTIC APPLICATION

On 13 April 2023, the Wayamo Foundation, in collaboration with the Nigerian National Human Rights Commission (NHRC), held a lecture and extensive Q&A session in Abuja, Nigeria. The lecture entitled, "Introduction to International Criminal Law and its domestic application with a special focus on inquiries and investigations", brought together NHRC staff, senior prosecutors from the Complex Casework Group, and lawyers of the International Law Department of the Ministry of Justice.



After being officially opened by Bettina Ambach, Wayamo Director, and Tony Ojukwu, Executive Secretary of the NHRC, the meeting was addressed by Dapo Akande, Professor of Public International Law at the Blavatnik School of Government, Fellow of Exeter College, Oxford, Co-Director of the Oxford Institute for Ethics, Law and Armed Conflict, member of the United Nations International Law Commission and member of the Africa Group for Justice and Accountability.



Following Prof. Akande's lively and interactive lecture, the floor was shared by Akingbolahan Adeniran, former Attorney-General of Ogun State, former investigator and trial lawyer at the ICC, and Charles Adeogun-Phillips, former Lead International Prosecutor, former Special Prosecutor Federal Republic of Nigeria, and founding Partner of Charles Anthony LLP, Lagos, who discussed international criminal investigations.

The two experts addressed various issues entailed in the investigation process, ranging from identification of witnesses, victims, suspects, informants and experts, to different types of evidence, the care required when dealing with vulnerable witnesses, and the concomitant need to ensure some degree of witness protection.

The participants shared their expertise and experience in these areas and identified some of the challenges currently being encountered by the NHRC investigative panel. To broaden the horizon of the participants, the experts drew on their in-depth knowledge of the world of international criminal tribunals to give a few concrete examples of investigations of serious human rights violations and international crimes. ■



MENTORSHIP - DIGITISATION OF TERRORISM CASE FILES AND EVIDENCE MANAGEMENT

Over the past two years, Wayamo has developed a comprehensive case-management system within the CCG and has made great progress in building up the first digital database of terrorism cases. In addition to training workshops, Wayamo has integrated mentoring into its programmes, offering customised capacity building to mentees on Intella and digital case-file management. To date, approximately 1500 cases have been scanned, verified and digitised. Wayamo Foundation's digitisation expert, **Rebekka Juhos**, has been leading the digitisation and mentorship activities in the project. ■

MAIN ACHIEVEMENTS

Since the project's launch in December 2016, Wayamo has contributed to Nigeria's efforts to achieve complementarity and increased accountability for international crimes. The project has achieved the following concrete outcomes:

- ▶ **Increased knowledge and skills of civilian and military investigators and prosecutors** as regards investigating and prosecuting international crimes and terrorism under Nigerian national law.
- ▶ **Regular and intensified communication between the Federal Ministry of Justice and the ICC.** A senior CCG prosecutor and Wayamo's local counterpart is now operating as the new ICC focal point within the Federal Ministry of Justice.
- ▶ **Enhanced interagency collaboration between JIC investigators and CCG prosecutors** to bring the electronic case-file database for terrorism and international crimes to fruition, while working on case files.
- ▶ **Enhanced knowledge on the drafting of charges addressing ICC criminality by CCG members,** the new work motto being "think outside the box".
- ▶ **Intensified digitisation of case files to store in the CCG database.** As of 31 December 2023, the CCG had scanned, digitised and verified 1,500 cases in its digital archive.
- ▶ **Successful implementation of Training-the-Trainer workshop sessions for CCG members** to consolidate project gains and newly acquired skills.
- ▶ **Successful development of new digital tools** for CCG lawyers to assess cases and visualise data in their case archive.

11 - 18 February 2023
Khartoum, Sudan

Series of broad consultations with key stakeholders, and capacity-building workshops

2 - 7 March 2023
Kampala, Uganda

Legal and media workshops for Sudanese lawyers and journalists

17-18 May 2023
Nairobi, Kenya

Expert Meeting: documenting international crimes and human rights violations for future accountability purposes

19 May 2023
Nairobi, Kenya

International justice symposium: Transition from where? Transition to what? Exploring transitional justice efforts in an ever-changing world

17 July 2023
Nairobi, Kenya

International justice day symposium on accountability for human rights violations in Sudan

18 - 19 July 2023
Nairobi, Kenya

Workshop on monitoring and documentation of human rights violations in Sudan

CAPACITY BUILDING AND LEGAL ACTIVITY TO END IMPUNITY

CONTEXT

With the outbreak of the armed conflict in Sudan on 15 April 2023 between the Sudanese Armed Forces and the Rapid Support Forces, planned activities in our Sudan project had to be re-oriented. Despite these developments, we believe that there are tools available to enable our beneficiaries to pursue justice and accountability proactively, even in the midst of war.

Transitional justice measures are a key pillar in building a solid foundation for states based on the rule of law. Developing the capacity of the legal community, civil society and the media is an important step towards addressing the accountability challenges facing Sudan, and advancing the transitional justice agenda. Addressing impunity for international crimes and human rights violations is pivotal when it comes to building a solid foundation for the establishment of democratic institutions, and respect for the rule of law and human rights. Our project aims to strengthen the capacity of civil society and legal actors in Sudan to address core grievances and break the cycle of impunity for international crimes. The danger of reoccurrence of international crimes will remain until the root causes of political exclusion, historical grievances and outstanding justice and accountability demands are addressed through transitional justice measures.

Capacity building in international criminal law, international humanitarian law and human rights law is being provided to the members of our target group. In addition, they are being empowered

FOR SUDANESE CIVIL SOCIETY ACTORS: BREAKING THE CYCLE OF IMPUNITY FOR INTERNATIONAL CRIMES

with knowledge in evidence-collection and documentation of human rights violations, thus helping to build a stronger foundation for accountability for international crimes. Media actors are also receiving training, with the objective of strengthening reporting skills and knowledge on critical justice-related issues. We believe that well-trained journalists and informed citizens able to take a fuller participatory role in their countries' public discourse are crucial for enhancing local ownership of justice and accountability.

Our **Sudan online justice hub** consolidates print and multimedia resources relating to the current conflict in Sudan, regional and international experiences with transitional justice, and tools that civil society actors can employ in response to ongoing violations in the country. In building this hub, Wayamo has brought together experts and practitioners to share their views on important aspects of international justice in domestic and international contexts, as well as achievements, challenges and opportunities in the international justice space that could be relevant for the Sudanese context. ■

COMPLEMENTARITY

Through this project, we at Wayamo intend to continue our widely recognised work as a facilitator of complementarity, by strengthening the capacity of authorities to address international crimes domestically. Through our capacity-building activities for the legal sector, our aim is to cultivate domestic knowledge and skills pertaining to the international crimes framework and available avenues for pursuing justice and accountability. Additionally, we focus on strengthening efforts in documenting human rights violations to ensure that the evidence collected meets the necessary standards for admissibility in a court of law, whether at the domestic or international level. Moreover, we facilitate discussions aimed at encouraging more states to exercise universal jurisdictions, which serves as a complementary approach to delivering justice to victims of international crimes, particularly in contexts where ICC jurisdiction may not be applicable. ■

PROJECT BENEFICIARIES

The project has the following three target groups:

- ▶ Legal community
- ▶ Civil society actors
- ▶ Media representatives

FOLLOW THE LINK TO VISIT THE PROJECT PAGE:

▶ wayamo.com/archives/our-projects/sudan

6 - 8 September 2023
Nairobi, Kenya

**Nairobi workshop
on modern forms of
evidence and universal
jurisdiction**

7 September 2023
Nairobi, Kenya

**Wayamo-PTI symposium
on accountability
mechanisms for
international crimes**

11-13 September 2023
Nairobi, Kenya

**Workshop on responsible
media for justice and
accountability in Sudan**

11-13 November 2023
Kampala, Uganda

**Workshop on responsible
media for justice and
accountability in Sudan**

20 November 2023
Kampala, Uganda

**Wayamo and ODPP
Uganda co-host
symposium on domestic
accountability mechanisms
for international crimes**

21 -23 November 2023
Kampala, Uganda

**Workshop on
modern forms
of evidence
and universal
jurisdiction**

11 - 18 February 2023

Khartoum, Sudan

**SERIES OF BROAD CONSULTATIONS WITH KEY
STAKEHOLDERS AND CAPACITY-BUILDING
WORKSHOPS**

A Wayamo team composed of local colleagues as well as two from Europe organised a series of consultations with stakeholders in Khartoum Sudan. During the mission, pivotal meetings were held with various governmental and diplomatic entities, including the Attorney-General's office, Ministry of Justice, and the Executive Office of the Judiciary. Representatives from international partners such as The Netherlands envoy to Sudan, the German Embassy in Khartoum, and the Human Rights Department of the Swiss Embassy were also engaged. Additionally, discussions took place with key stakeholders from the United Nations Integrated Transition Assistance Mission in the Sudan (UNITAMS), United Nations Development Programme, and Office of the High Commissioner for Human Rights (OHCHR), along with representatives from the Forces of Freedom and Change (FFC) Central Council and FFC Legal Committee. Notably, interactions with the Sudanese Journalist Syndicate and victim communities from Khartoum and Darfur provided valuable insights into the local context.

In parallel, three impactful training workshops were held: one on 12 February 2023 with eight lawyers, focusing on transitional justice; and two on 13 February 2023, one with ten civil society representatives and the other with ten lawyers, focusing on international criminal law. These workshops served as crucial platforms for capacity building and knowledge exchange, empowering participants with the skills and expertise needed to navigate the complexities of human rights and legal frameworks in Sudan's transitional context. ■

2 – 7 March 2023
Kampala, Uganda

LEGAL AND MEDIA WORKSHOPS FOR SUDANESE LAWYERS AND JOURNALISTS



Wayamo conducted two workshops and a strategic dialogue in Kampala, Uganda, for Sudanese lawyers, civil society actors and journalists on the concepts of transitional justice and accountability for international crimes and how to apply these within the framework of the transitional justice process in Sudan. In addition to transitional justice topics, journalists received capacity-building training on conflict-sensitive journalism and digital safety practices. The workshops had a strong focus on regional precedents from the African continent to allow participants to appreciate the transitional-justice trajectories followed by other countries in the region and enable them to draw lessons from these experiences. These activities were generously supported by the Dutch and Swiss Foreign Ministries.

The week started with a civil society dialogue on transitional justice. It was then followed by two parallel workshops, which allowed for mutual use of a core group of experts who shared their expertise and engaged with the lawyers and journalists over the duration of the workshops.

*6 December 2023
New York, USA*

Wayamo co-hosts side event with The Netherlands, Switzerland, Liechtenstein, Germany and France at the Assembly of the States Parties of the International Criminal Court, on universal jurisdiction, open-source evidence and accountability

*December 2023
Berlin, Germany*

Online Resource Hub: Wayamo Foundation launches bilingual Sudan online justice hub, empowering civil society and legal community with vital resources

LEGAL WORKSHOP

The workshop participants were a cross-section of Sudanese independent lawyers. The proceedings were officially opened by Wayamo Director, **Bettina Ambach**, who emphasised that dealing with the past and accountability for international crimes is of utmost importance. When states fail to address serious past violations of human rights, they can hardly move forward. While justice may well deter potential offenders from committing future crimes, it is, first and foremost, victims and survivors who deserve justice. The Wayamo Foundation sees its role as helping to strengthen the domestic capacity of Sudanese actors as they participate in the transitional justice process of their country.

Over the course of the workshop, key issues were covered, including the concepts of transitional justice and its application in Sudan, a discussion on jurisdictional subject matter and resource limitations of the ICC, as well as international criminal investigations. In addition, a review of the domestic implementation of the international crimes framework in Sudan was discussed, as was domestic application of International Criminal Law in Africa, with shared case studies from Uganda and Nigeria. The sessions also included interactive group exercises. The participants engaged with experts, who included the Assistant Director of Public Prosecutions and Head of the International Crimes Department in Uganda, **Lino Anguzu**, former Attorney-General of Ogun State (Nigeria), former ICC investigator and trial lawyer, **Akingbolahan Adeniran**, and the Wayamo legal team of **Mikel Delagrange**, **Abdalbasit Mohamed** and **Linda Bore**. The Foundation was also honoured by the presence of **Nicolas de Torrenté**, Senior Adviser, Task Force Dealing with the Past and Prevention of Atrocities, Federal Department of Foreign Affairs, Switzerland.

At the conclusion of the workshop, participants provided positive evaluations, specifically highlighting the relevance of understanding regional and international perspectives on transitional justice, so as to be able to adapt these experiences to Sudan's context.





MEDIA WORKSHOP

Khartoum- and Darfur-based media practitioners from radio, print and digital media took part in the media workshop that was designed to reinforce their knowledge of conflict-sensitive reporting, with a key focus on digital security and how to report on critical conflict and justice-related issues without further inflaming tensions. The proceedings were officially opened by Wayamo Africa Director, **Joseph Roberts-Mensah**, and Wayamo Coordinator for East Africa, **Judie Kaberia**. Other experts included Capacity Building Officer, Defend Defenders **Majid Maali**, Former General Manager, Uganda Broadcasting Corporation, and independent radio producer/trainer, **Florence Bonabaana**, Monitoring Programme Director, African Centre for Justice and Peace Studies, **Mohamed Badawi**, Co-founder and Director of the Amani Institute Uganda, **Lyandro Komakech**. The media workshop also benefited from engagement with experts who had taken part in the legal workshop.

The participants were led through various topics, including the ICC, the legal framework for accountability for international crimes, best practices in documenting human rights violations and conflict-sensitive journalism. The sessions also included peer exchanges with Ugandan experts, including a Ugandan journalist who shared her experiences on reporting on justice and accountability, and a lawyer who talked about transitional justice, the challenges and lessons learnt from Uganda. Many of the experts were practitioners in their various fields and were thus able to present the topics in a practical way, as they drew on their own experiences.

Judging by the sentiments expressed by the participants in their evaluations, these two workshops continue to provide the type of greater in-depth, target-specific training that Wayamo will go on providing in the coming months. ■

17-18 May 2023

Nairobi, Kenya

EXPERT MEETING: DOCUMENTING INTERNATIONAL CRIMES AND HUMAN RIGHTS VIOLATIONS FOR FUTURE ACCOUNTABILITY PURPOSES

Following the outbreak of the armed conflict in Sudan on 15 April 2023, the Wayamo Foundation organised its first event with the Sudanese diaspora just one month later, in May 2023. Wayamo hosted an expert meeting on 17-18 May in Nairobi, Kenya, on the documentation of international crimes and human rights violations for future accountability purposes. The meeting explored how best to use existing open-source information (OSI) collection mechanisms in the context of the current armed conflict in Sudan. Civil society representatives, human rights defenders, and journalists from the Sudanese diaspora were invited to exchange their views with high-level experts from the International, Impartial and Independent Mechanism (IIIM) for Syria, Sudanese Archive, International Residual Mechanism for Criminal Tribunals, Africa Group for Justice and Accountability, and members of past and current international commissions of inquiry.



The meeting, held under Chatham House rules, was moderated by **Mikel Delagrange**, **Mark Kersten** and **Kris Kotarski**, all from the Wayamo Foundation. The proceedings were officially opened by Wayamo Foundation Executive Director, **Bettina Ambach**, who noted in her opening remarks that *“with the outbreak of the armed conflict in Sudan on 15 April between the Sudanese Armed Forces and the Rapid Support Forces Civil, everything has changed.”* She went on to emphasise that, despite the current state of affairs, there were still tools that could enable the participants to be proactive, even in the midst of war. Reiterating the important role that civil society actors play, Ms Ambach stated, *“CSO actors are often the first ones on the ground, long before competent investigative authorities come into the picture. Their access to affected communities, combined with their collective expertise and ability to swiftly share information, places them in a privileged position to do the work. They may do so by collecting information that may otherwise be lost, and by accessing, verifying and analysing information which can subsequently prove crucial in contributing to accountability efforts.”* She further emphasised that CSO actors also have a responsibility to ensure that principles, such as *“Do no harm”* and obtaining informed consent, among others, are observed while conducting their work. Ms. Ambach further explained that the Nairobi meeting would zoom in on the topic of OSI, stressing the fact that large quantities of publicly available digital information are increasingly used in efforts to document human rights violations

for future court proceedings. She concluded by acknowledging the extremely difficult circumstances in which the Sudanese participants find themselves, with the constant fear that family members or friends may be hurt. She appreciated their taking the time to attend the meeting in Nairobi and their commitment to justice and accountability efforts in Sudan.

Over the course of the meeting, discussions were held on key topics, including evidence-gathering, the prioritisation of resources in open-source investigations, and the ensuing security implications of and considerations for OSI collection. Speakers included Sudanese civil society actors and human rights defenders, such as **Moneim Adam**, Access to Justice Programme Director, Gisa INC, and human rights activist, **Elbashir Idris**.



An in-depth review of OSI was shared by representatives from Mnemonic (the parent organisation of Sudanese Archive), namely, executive director, **Hadi al-Khatib**, and legal adviser, **Libby McAvoy**. International perspectives from international courts, investigative mechanisms and international law experts were shared by **Catherine Marchi-Uhel**, Head of the IIIM for Syria, **Serge Brammertz**, Chief Prosecutor of the International Residual Mechanism for Criminal Tribunals, and **Nema Milaninia**, Special Advisor to the U.S. Ambassador-at-Large for Global Criminal Justice.



On the second day of the expert meeting, a dedicated session was held with eminent AGJA experts in international criminal justice and human rights, on the role of UN commissions of inquiry and national human rights commissions in the collection and preservation of evidence. AGJA members **Mohamed Chande Othman**, Chairperson of the Commission of Human Rights Experts on Ethiopia, former Chief Justice of Tanzania (AGJA member on hiatus), **Aïchatou Mindaoudou**, Former United Nations Special Representative in Côte d'Ivoire, former Acting Joint UN/AU Special Representative in Sudan Darfur, and former Minister of Foreign Affairs, Niger, **Betty Murungi**, Transitional

Justice Expert, Advocate of the High Court of Kenya, **Navi Pillay**, former UN High Commissioner for Human Rights and Chair of the UN Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, and **Fatiha Serour**, former Deputy Special Representative of the UN Secretary General in Somalia and AGJA Chairperson, gave examples drawn from their rich store of experience and discussed how OSI might contribute to future investigative panels and commissions of inquiry. The meeting closed with a group exercise that examined key areas of focus and resource-allocation for open-source investigations in the context of the armed conflict in Sudan.

The expert meeting garnered positive feedback from participants, particularly in the sessions focused on monitoring and documenting human rights violations in Sudan. Attendees expressed appreciation for the impactful outcomes of open-source investigations, highlighting the significance of civilian efforts in contributing to both national and international justice mechanisms. There was a consensus on the importance of systematically documenting human rights violations, with calls for increased collaboration among civil society actors to establish databases of war crimes and human rights abuses in Sudan. Additionally, participants emphasised the need for further training for journalists and civil society members on effectively documenting and utilising open-source information in a systematic manner. ■





19 May 2023
Nairobi, Kenya

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

Recognising that human rights violations are being committed on a daily basis in Sudan, the **Wayamo Foundation**, the **Africa Group for Justice and Accountability** and the **Aga Khan University Graduate School of Media and Communication** hosted a public symposium on transitional justice and international criminal law on 19 May 2023, in Nairobi, Kenya.

The symposium brought 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. The proceedings were opened by **Prof. Nancy Booker**, Associate Professor and Interim Dean at the Aga Khan University Graduate School of Media and Communications, who welcomed all the participants to the day's event. She emphasised the important role played by media actors in reporting on human rights violations, and the steps being taken by her university to address this issue in its curriculum. In her opening remarks, Wayamo Foundation Director, **Bettina Ambach**, observed, *"Everything changed*





on 15 April, when the armed conflict between the two generals broke out. All of our local colleagues and partners are now in a struggle for survival. I want to take a moment to acknowledge that what we have been and will be discussing here in Nairobi is not merely academic: it matters to people on the ground in Sudan right now, who are caught in a spiral of violence.”

Fatiha Serour, former Deputy Special Representative of the UN Secretary General in Somalia and AGJA Chairperson, stated, *“Those who have been violated —whether through sexual violence or other forms of abuse— are not always able to access a court to testify about human rights violations and seek justice. That’s why we need transitional justice with its multi-dimensional potential for serving victims and survivors.”* **Zainab Bangura**, Director-General of the UN Office at Nairobi, gave an inspiring speech to Sudanese civil society actors, urging them to continue to fight for a democratic, civilian-led Sudan.

The joint Wayamo-AGJA conference explored timely and pressing issues regarding the tools available to states and affected communities to address past atrocities and ongoing human rights violations. The symposium’s opening session, entitled **“An ongoing obligation: the continuing importance of accountability in Sudan”**, featured Sudanese guest speakers, **Moneim Adam**, Access to Justice Programme Director, Gisa INC, and **Gouja Ahmed**, Sudan Communications and Logistics Officer, Wayamo Foundation. In a recorded video intervention, Mr. Ahmed gave an emotional and moving account of the events that were currently unfolding in Darfur, which brought many in the auditorium to tears. In his speech, he urged all those present to stand in solidarity with the Sudanese people and join efforts in the pursuit of peace and accountability in the country.

Over ninety participants drawn from Kenyan and Sudanese civil society organisations, the Kenya Bar Association, media representatives from Kenya and the Sudanese diaspora, the diplomatic corps, and law and international relations students from various Nairobi universities took part in the symposium. Spanning three panels and one conversation, the symposium addressed topics which included transitional justice in a transitioning world, focusing on recent geopolitical, international and legal changes in the transitional justice field, opportunities and challenges in the collection of evidence of mass atrocities, the prosecution of international crimes in domestic courts, and lastly, the renewed momentum in international criminal law and concerns about double standards. The rich and diverse panel of speakers included **Catherine Marchi-Uhel**, Head of the International, Impartial and Independent Mechanism for Syria (IIIM), **Nema Milaninia**, Special Advisor to the U.S. Ambassador-at-Large for Global Criminal Justice, **Tabitha Ouya**, Head of the Civil Rights Division, Office of the Director of Public Prosecutions, Kenya, and members of AGJA, a group of high-level African experts on international criminal law and human rights, among others.



A few key observations made by the panellists were: the positive trend in transitional justice mechanisms towards stressing the inclusion of victims and local ownership; the emphasis on reparations, and the truism that there is no justice without reparations; the importance of ensuring that investigative work is not done in silos, and that space is reserved for combining traditional and new technologies such as digital open-source information. Further observations included: the need to view justice from a holistic and comprehensive perspective, which includes justice efforts at an international, regional and domestic level; and the importance of focusing on sexual and gender-based violence, something that is sadly all too common in conflict situations but is not addressed comprehensively. The last panel's closing discussion on double standards and how to achieve greater equality in the distribution of justice for international crimes left the participants with the following powerful words ringing in their ears, *"Let us create our own standards and make them work!"* ■



17 July 2023
Nairobi, Kenya

INTERNATIONAL JUSTICE DAY SYMPOSIUM ON ACCOUNTABILITY FOR HUMAN RIGHTS VIOLATIONS IN SUDAN

On 17 July 2023, the Wayamo Foundation held a symposium in Nairobi, Kenya, dedicated to honouring International Justice Day. The event, focused on the monitoring and documentation of human rights violations in Sudan, and sought to highlight the ongoing atrocities in the war-torn nation, and support justice and accountability for the victims.

Gathering at the Graduate School of Media and Communications of Aga Khan University, the symposium welcomed a diverse audience, including members of the Sudanese diaspora, renowned international and Kenyan experts, lawyers, and representatives from civil society, both in Sudan and across the region.

The event was opened by Wayamo Director, **Bettina Ambach**, who stressed that 25 years after the adoption of the founding treaty of the International Criminal Court on 17 July 1998, the importance of fighting against impunity and bringing justice for the victims of war crimes, crimes against humanity, and genocide had never diminished. *“While we want to honour International Justice Day, we — more importantly — want to direct our attention to the war in Sudan, the terrible crimes and atrocities perpetrated daily since the outbreak of the hostilities on 15 April of this year.”*

Radhouane Nouicer, the UN Independent Expert on the Situation of Human Rights in Sudan, echoed Ms. Ambach’s call, stressing that the violence and atrocities in Sudan went beyond what he had seen in his 30-year humanitarian career. *“We need justice in Sudan. This is not politics, it is humanity,”* he said. Sudanese analyst **Kholood Khair**, founder and director of Confluence Advisory, pointed out that the war in Sudan was brought about because of many years of impunity, and that it not only included the Sudanese Armed Forces and the Rapid Support Forces militia fighting one another, but also both sides fighting civil society actors. *“Ending the war is not the only thing to do,”* she said. *“We have to end the war on civicism and finally include accountability.”*





Abdullahi Hassan, a researcher at Amnesty International who recently conducted research among refugees in Eastern Chad, spoke during a panel on the overview of the current armed conflict in Sudan, focusing on crimes in West Darfur: *“We identified the following crimes in West Darfur, i.e., deliberate attacks on civilians, people caught in crossfire, looting and destruction, colocation of RSF in heavily populated areas,”* he said. *“This was widespread and happening in several towns, the patterns were the same.”*

Betty Murungi, Transitional Justice Expert, Advocate of the High Court of Kenya, and member of AGJA, focused on the long fight for accountability in Sudan. *“We celebrate International Justice Day, but after 20 years of impunity in Darfur we have new atrocities happening and absolutely no justice,”* she said. She added that a solution to impunity could lie in using universal jurisdiction provisions to go after those responsible for the violence. *“It is misguided to think that the ICC can solve all our problems,”* she said. *“Universal Jurisdiction is a good mechanism to end impunity and an answer to the limitations of the ICC. Another answer is the strengthening of our national justice systems, so that justice can be done and seen to be done at home.”*

In a panel on the classification of international crimes in Sudan under the Rome Statute of the ICC, **Philipp Ambach**, Chief of the ICC’s Victims Participation and Reparations Section, noted that prosecuting international crimes is difficult. He highlighting the example of the crime of genocide, where prosecutors need evidence to establish that people were targeted by virtue of membership of a specific group rather than for other factors, such as occupying a piece of contested land.

The final panel focused on the promise of open-source investigations which can be conducted even when the researchers are outside of the conflict zone, and featured experts from Mnemonic and Gisa, the co-founders of the **Sudanese Archive**, which, according to Mnemonic’s **Mahasin Dahab**, remains the largest existing record of crimes committed in Sudan since 2019.

“We talk about open-source investigation when the access to the space is impossible,” said Mnemonic researcher Michael Elsanadi, noting that such investigations help fill the information gaps, *“Open-source information is one piece of the puzzle to prove a crime.”* ■

18 - 19 July 2023

Nairobi, Kenya

WORKSHOP ON MONITORING AND DOCUMENTATION OF HUMAN RIGHTS VIOLATIONS IN SUDAN

The Wayamo Foundation organised a workshop on 18-19 July 2023 in Nairobi, Kenya, on the documentation of international crimes and human rights violations for future accountability purposes. The meeting featured experts from Mnemonic (Sudanese Archive), and explored human rights documentation, international criminal law and the role of open-source investigations, both broadly and in Sudan.

The workshop aimed to build on the gains from the expert meeting that had been held in May 2023, with the view of enhancing the capabilities of Sudanese civil society actors in the collection, preservation and analysis of evidence, including in the ongoing conflict.

Bettina Ambach, Director of the Wayamo Foundation, opened the proceedings and welcomed **Radhouane Nouicer**, UN Independent Expert on the Situation of Human Rights in Sudan, who joined the participants for the entire duration of the workshop. An in-depth contextual analysis into the ongoing situation in Sudan was led by **Abdalbasit Mohamed**, Legal and Research Officer, Wayamo Foundation, working in tandem with a subject matter analyst on Sudan.

Participants also heard from **Mahasin Dahab** and **Waha Ibrahim** from Mnemonic's Sudanese Archive, who discussed resistance and collective memory efforts, and the documentation of human rights abuses in Sudan. **Philipp Ambach**, Chief of the Victims Participation and Reparations Section at the ICC, then explored international crimes and the potential role of open-source information in modern criminal proceedings. The participants also had the opportunity of engaging in a one-on-one feedback session with **Radhouane Nouicer**, who led a discussion on human rights monitoring in Sudan, elaborating on various challenges associated with this work.

Mnemonic's **Michael Elsanadi** spoke on open-source investigations and provided an introduction to the Berkeley Protocol. The participants were then given an introduction to the Sudanese Archive, and the methodologies and tools used to collect open-source information. This was followed by a practical data-collection exercise using the Sudanese Archive. Participants also engaged with **Marine Alineel** from Afia for Community and Psychological Wellness Services and Studies in Sudan, who led a session on psychosocial wellness considerations for online researchers and documenters. The workshop concluded with final remarks and evaluations. ■



6 - 8 September
Nairobi, Kenya

NAIROBI WORKSHOP ON MODERN FORMS OF EVIDENCE AND UNIVERSAL JURISDICTION



The Wayamo Foundation hosted a three-day workshop in Nairobi, Kenya, from 6-8 September 2023, on the topic of *“Modern forms of evidence and the potential application of universal jurisdiction in the East African region for international crimes committed in Sudan.”* The workshop brought together Sudanese lawyers and human rights defenders, including those from Darfur, with experience in strategic litigation and the fight against impunity.

Wayamo Foundation Director, **Bettina Ambach**, opened the workshop and thanked the participants from the Sudanese diaspora based in Kenya, Uganda, Egypt, Qatar and Ethiopia for making the effort to attend. She emphasised that through workshops such as this, *“Sudanese lawyers and human rights defenders can be equipped with tools that would enable them to be proactive even in the midst of war.”* This involves capacity building in the documentation of human rights violations in Sudan with a special focus on open-source information as well as addressing what can be done with potential evidence that is collected to help combat impunity for human rights violations and international crimes.

The workshop focused on different accountability mechanisms for international crimes including the application of universal jurisdiction, investigative practices, modern forms of evidence, including open-source information, and ways in which such evidence can be used in practice. The workshop also addressed the challenges and opportunities for the successful investigation and prosecution of sexual violence.





The training consisted of information sessions, discussion and dialogue, as well as a practical break-out session based on a hypothetical case study. Through these efforts, it is hoped that a coalition of civil society and legal actors committed to addressing impunity in Sudan will start coming together to pursue international, regional and domestic accountability measures, and foster universal jurisdiction opportunities in the East African region.

The participants engaged with experts including, **Akingbolahan Adeniran**, former Attorney-General of Ogun State, Nigeria, and international criminal law expert, **Abdalbasit Mohamed**, Legal and Research Officer, Wayamo Foundation, **Jarrod Noble**, Investigator at the ICC, **Mohamed Abdelsalam Babiker**, Associate Professor of Law, University of Khartoum, **Gizouli Mohammed Adam**, American Bar Association, **Mark Kersten**, Assistant Professor of Criminology and Criminal Justice, University Fraser Valley, Canada and Senior Consultant, Wayamo Foundation, **Jagganaden Muneesamy**, Acting Assistant Director of Public Prosecutions, Office of the Director of Public Prosecutions, Mauritius, **Libby McAvoy**, Legal Advisor,



Mnemonic, **Wilfred Nderitu SC**, Advocate of the High Court of Kenya, List Counsel at the ICC, MICT and STL, **Saeeda Verrall**, Legal Officer at the United Nations and **Adejoké Babington-Ashaye**, International Law Specialist and former ICC Investigator. The sessions were moderated by **Mikel Delagrange**, ICJ/Victims Expert, Wayamo Foundation and **Linda Bore**, International Criminal Justice Lawyer and Project Coordinator, Wayamo Foundation.

An evaluation was conducted at the end of the workshop, where participants expressed their satisfaction with the topics covered and the quality of the presentations. ■

7 September
Nairobi, Kenya

WAYAMO-PTI SYMPOSIUM ON ACCOUNTABILITY MECHANISMS FOR INTERNATIONAL CRIMES



To reflect on different accountability mechanisms for serious human rights violations and international crimes, including the exercise of universal jurisdiction, on 7 September 2023 the Wayamo Foundation and the Prosecution Training Institute (PTI) co-hosted a symposium on *“Domestic accountability mechanisms for international crimes: new developments and opportunities in East Africa”* at the PTI in Nairobi, Kenya. The event brought together international and Kenyan experts and prosecutors to discuss international criminal justice themes. The symposium was opened by **Jacinta Nyamosi**, Deputy Director Department of Offences against the person, Office of the Director of Public Prosecutions (ODPP), who spoke on behalf of **Dorcas Oduor**, Secretary of Public Prosecutions, ODPP, Kenya.

The symposium explored timely and pressing questions, including the exercise of universal jurisdiction, both internationally and in the East African region, different accountability mechanisms for international crimes, the role that digital open-source information can play in supporting investigations and criminal trials, and Kenya’s experience in applying the International Crimes Act (including its universal jurisdiction provisions), and modern forms of evidence domestically.

The symposium afforded an opportunity to discuss the current and future role of Kenya in the world of international criminal law. During the meeting, those present shared their views on what leadership Kenya could offer in terms of justice and accountability. Welcoming the participants to the symposium, PTI Director, **Kemo Alloys** noted that, *“the PTI offers specialised prosecutorial training which is envisaged to enhance execution*



of the ODPP mandate. Training sessions such as today's will considerably contribute to our mission. We thank Wayamo for helping to make this possible."

Bettina Ambach, Director of the Wayamo Foundation thanked the PTI for hosting the symposium and noted the long-standing collaboration between the Office of the Director of Public Prosecutions (ODPP) and the Wayamo Foundation. She expressed the hope that through these engagements the capacity of prosecutors could be built to support the pursuit of justice and accountability. *"We can explore how East African prosecution authorities can adopt new technological developments to enrich their investigative and prosecutorial strategies and think outside the box to apply these skills."* She further pointed out that various accountability mechanisms exist at both the international and domestic levels, including universal jurisdiction. *"Perhaps we can also initiate a discussion on the application of universal jurisdiction in the region, to sow the seeds of universal jurisdiction opportunities for international and transnational crimes."*



Experts speaking at the symposium included **Vincent Monda**, Senior Assistant Director of Public Prosecutions, **Akingbolahan Adeniran**, international criminal law expert and former Attorney-General of Ogun State, Nigeria, **Mohamed Abdelsalam Babiker**, Associate Professor of Law, University of Khartoum, Sudan, **Libby McAvoy**, Legal Advisor, Mnemonic, **Saeeda Verrall**, Legal Officer at the United Nations, Mark Kersten, Assistant Professor of Criminology and Criminal Justice, University Fraser Valley, Canada, and Senior



Consultant, Wayamo Foundation, **Tabitha Ouya**, Head of Civil Rights Division, Senior Assistant Director of Public Prosecutions, Kenya, and **Jagganaden Muneesamy**, Acting Assistant Director of Public Prosecutions, Director of Public Prosecutions, Mauritius.

After a full day of addressing international justice themes, **Kemo Alloys** thanked the Wayamo Foundation team for their time and effort. He expressed his gratitude for bringing together experts and Kenyan prosecutors to discuss these important topics. *"It is a discussion that we hope prosecutors will continue to have in Kenya, and one that will continue to take shape and form as time progresses."* ■

11-13 September 2023

Nairobi, Kenya

WORKSHOP ON RESPONSIBLE MEDIA FOR JUSTICE AND ACCOUNTABILITY IN SUDAN



From 11-13 September 2023, the Wayamo Foundation convened a three-day workshop for journalists in Nairobi entitled, *“Responsible media for justice and accountability in Sudan”*, aimed at enhancing media reporting on justice-related matters within the context of Sudan.

This workshop, conducted as part of Wayamo’s ongoing *“Capacity building for civil society and the justice sector in Sudan”* project, bolsters the reporting capabilities of Sudanese journalists, enabling them to comprehensively cover critical justice-related issues.

The programme comprised a variety of sessions, leveraging the expertise of Wayamo Foundation personnel and external experts. Participants engaged in peer-to-peer training, practical break-out sessions, and discussions, all held under the umbrella of Chatham House rules to promote candid and free-flowing dialogue.

The workshop commenced on 11 September, with a session on contextual analysis led by **Abdalbasit Mohamed**, a Legal and Research Officer from Wayamo, along with other subject matter analysts. Having set the stage by providing attendees with a comprehensive understanding of the current situation in Sudan,



this was then followed by a group discussion focusing on the role of media during times of armed conflict and in post-conflict settings, highlighting the responsibilities of journalists in such challenging contexts.

Day one also featured sessions led by **Mohamed Abdelsalam Babiker**, an Associate Professor of Law at the University of Khartoum, on substantive and procedural challenges confronting accountability for international crimes in Sudan. In addition, Wayamo Senior Consultant, **Mark Kersten**, discussed the promise of universal jurisdiction for international crimes committed in Sudan.



Day two began with **Nkem Agunwa**, Programme Manager at Witness, who spoke on harnessing the power of visual evidence, demonstrating how video can support and enhance storytelling, advocacy and journalism. The day also covered reporting on conflict-related sexual violence crimes, with **Adejoké Babington-Ashaye** delving into best practices when covering these sensitive issues, and underscoring the importance of preparation, respect and sensitivity in interviews.

Day three commenced with a recap and an exploration of the Darfur cases at the ICC by **Mikel Delagrangé**, International Criminal Justice and Victims' Expert at the Wayamo Foundation. **Kris Kotarski**, Wayamo's Digital Programmes Manager, then discussed open-source investigation methods in journalism, with a review of best practices.

Abass Elteгани, a Peace and Media Researcher, led a discussion on identifying hate speech in the current Sudanese context, a critical topic given its role in exacerbating conflict and tensions. The workshop culminated in group discussions focused on identifying key issues, critical stories, storyboarding, story construction, pitching exercises, and reviews.



The Wayamo Foundation's workshop on responsible media for justice and accountability in Sudan not only fostered a deeper understanding of critical justice-related issues, but also equipped Sudanese journalists with essential reporting skills. *"You might think that you know everything as a journalist but still there are gaps realised in every workshop,"* said one of the participants after the workshop. *"I will apply much of what was mentioned in the workshop, especially the use of open sources, and alert the world to the extent of the crimes committed in Sudan,"* added another. ■

11-13 November 2023

Kampala, Uganda

WORKSHOP ON RESPONSIBLE MEDIA FOR JUSTICE AND ACCOUNTABILITY IN SUDAN

The Wayamo Foundation hosted a workshop for media professionals in Kampala, Uganda, from 11-13 November 2023, on the topic of “*Responsible media for justice and accountability in Sudan.*” The workshop brought together Sudanese and Ugandan journalists for three days of discussion and engagement on topics relevant to the ongoing conflict in Sudan, with a special focus on hate speech, the protection of children in armed conflict, refugees, open-source investigations, and the application of universal jurisdiction.

Wayamo Foundation Director, **Bettina Ambach**, set the stage for the workshop’s proceedings by underscoring the pivotal role played by the media during times of armed conflict. Her opening address emphasised the core areas of Wayamo’s engagement with media actors, stressing the profound importance of conflict-sensitive reporting.

The first session of the day provided a contextual analysis of the ongoing conflict in Sudan. Subject-matter experts elaborated on some of the recent happenings in the conflict and their multifaceted implications, particularly from a justice perspective. One particular focus of the workshop centred on the insidious effects of hate speech and the challenges faced by Sudanese journalists in dealing with this reality. The lecture session was followed by a case-study exercise, which allowed participants to immerse themselves in the practical application of identifying hate speech. Through case studies, journalists engaged in collaborative problem-solving, navigating the complexities and nuances inherent in addressing hate speech through their reporting.



A paramount aspect of Wayamo’s engagement with journalists is providing training on international justice mechanisms and processes. The workshop afforded an opportunity for the journalists to examine various aspects, ranging from the application of universal jurisdiction to international crimes and the applicable laws protecting children in armed conflict, to the six grave violations against children and a set of guidelines for reporting on children in armed conflict. This was followed by a session on insights into the refugee situation in Uganda, focusing on the multi-faceted dimensions facing Sudanese asylum seekers and refugees. In addition, the journalists delved into the practical applications for open-source investigations in Sudan, and followed this up with a breakout session targeted at planning a story based on open-source materials and conducting an open-source investigation in the newsroom.



The participants engaged with experts, including **Thierry Cruvellier**, Editor-in-Chief, JusticeInfo.net, **Hannah Bagdasar**, Digital Investigations and Accountability Expert, former Lead Investigator at Bellingcat, **David Waiswa**, Legal Manager, International Rescue Committee, and from the Wayamo Foundation, **Joseph Roberts-Mensah**, Africa Director, **Abdalbasit Mohamed**, Legal and Research Officer, **Judie Kaberia**, Coordinator for East Africa, **Kris Kotarski**, Digital Programmes Manager, and **Linda Bore**, International Criminal Lawyer.



Evaluations were conducted during and at the end of the workshop to give participants an opportunity to express their views on the topics covered and the quality of the training. They emphasised the practical applications of open-source information for Sudan, with one participant stating, *“This session was particularly significant to me as both factions involved in the ongoing conflict are flooding social media with numerous videos containing substantial evidence. As Sudanese journalists, we have an extensive task ahead, necessitating the utilisation of open-source information for our work.”* Another participant on reporting on justice issues and hate speech, commented that *“The approach of organising us into groups enhanced my understanding, allowing me the opportunity to discuss with colleagues the nuances of hate speech and its potential repercussions. This interaction facilitated a deeper comprehension for me.”* Another topic that was addressed during the workshop was the protective framework for children in armed conflict. One participant stated, *“The recruitment of children into war is a critical concern for us; we see it happening in the ongoing conflict in Sudan. Raising awareness about this issue is imperative to facilitate a comprehensive resolution.”* Lastly, on the important take-home lessons from the workshop, another participant stated, *“As journalists, our stories should, besides pointing out the challenges in the ongoing conflict, also highlight potential elements for accountability and serve as a compass to identifying paths toward justice.”* ■

20 November 2023

Kampala, Uganda

WAYAMO AND ODPP UGANDA CO-HOST SYMPOSIUM ON DOMESTIC ACCOUNTABILITY MECHANISMS FOR INTERNATIONAL CRIMES

On Monday 20 November 2023, the Wayamo Foundation and the Office of the Director of Public Prosecutions (ODPP) of Uganda co-hosted a symposium at the Méstil Hotel in Kampala entitled, *“Domestic accountability mechanisms for international crimes: new developments and opportunities in East Africa”*, focusing on modern forms of evidence and the application of universal jurisdiction to international crimes committed in the region.



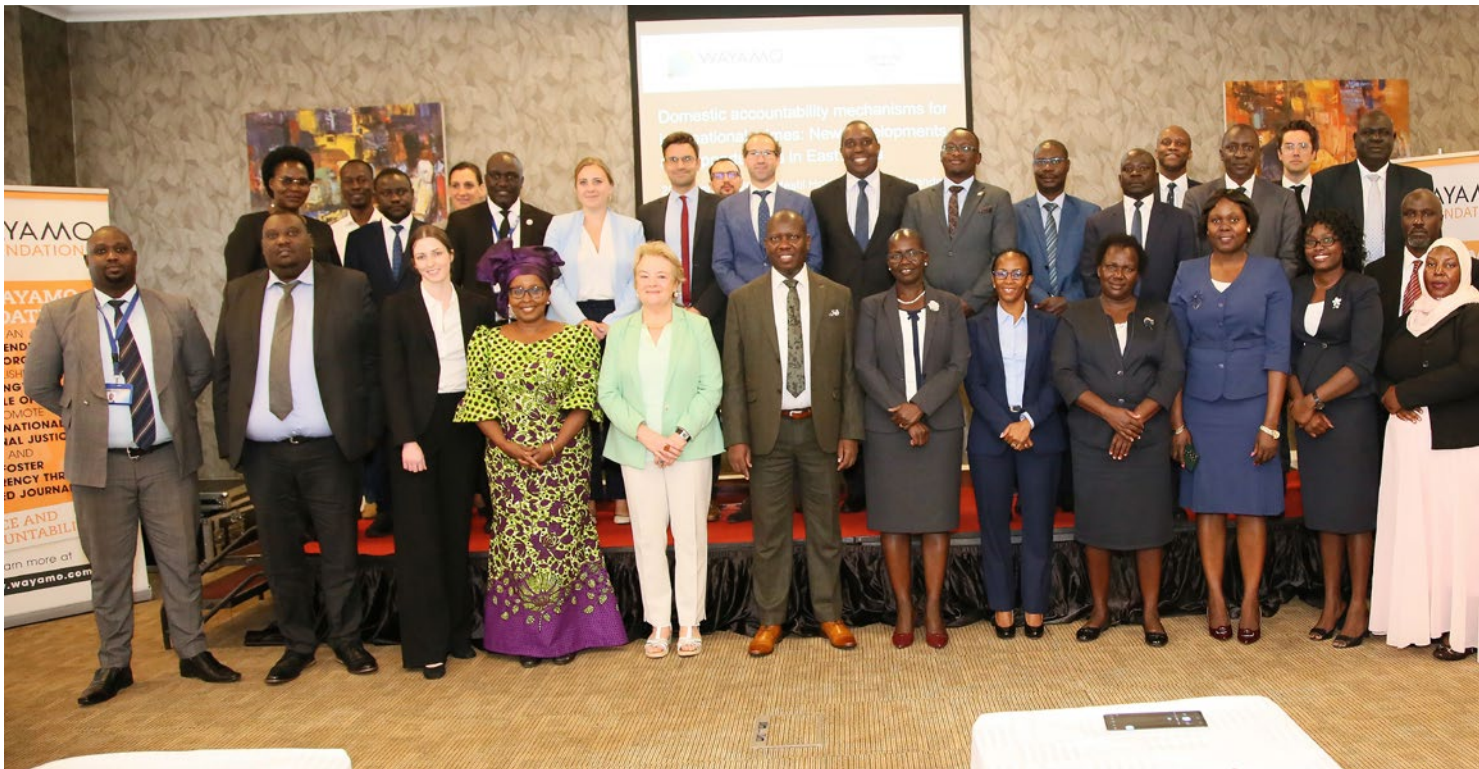
The symposium, which featured Uganda’s DPP, **Jane Frances Abodo**, and her Kenyan counterpart, **Renson Mulele Ingonga**, was the second in a series exploring these themes in East Africa, following the initial September meeting held at the Prosecution Training Institute in Nairobi, Kenya.

In her opening remarks, Ugandan DPP Abodo said that the symposium *“explores timely and pressing questions, including the exercise of universal jurisdiction, both internationally and specifically in the East African region. I am hopeful that the symposium today will prompt similar discussions like it did in Kenya in September.”*



“We must be alive to the fact that there are ongoing armed conflicts within the region,” added Mulele Ingonga. *“This symposium presents an opportunity for us to audit East African domestic mechanisms insofar as handling of international crimes is concerned. It shines a spotlight on modern forms of evidence, such as digital forensics and its applicability and use by law enforcement agencies in the investigation of international crimes.”*

Wayamo Foundation Director, **Bettina Ambach**, underscored the importance of national accountability mechanisms for international crimes.



“The goal”, she said, “is to debate how East African prosecution authorities could think outside the box, learn about new technological developments to enrich their investigative and prosecutorial strategies, and reflect on universal jurisdiction opportunities in the region using the international criminal law provisions that Uganda and Kenya have implemented into their national law. We could be sowing the seeds of universal jurisdiction opportunities for international crimes in the East African region.”

By way of introduction, it was noted that the Sudanese armed conflict was having a serious impact on the region. Among other issues, participants and experts discussed the role that digital open-source information plays in supporting investigations and criminal trials, and the opportunities and limitations of universal jurisdiction. The speakers also touched on Kenya’s first crimes against humanity case and Uganda’s experience with its International Crimes Division.





East African experts speaking at the symposium included **Justice Susan Okalany**, Judge of the International Crimes Division of the Ugandan High Court, **Lino Anguzu**, Assistant DPP and Head of the International Crimes Department in Uganda, **Vincent Monda**, Kenyan Senior Assistant DPP, and **Betty Murungi**, Transitional Justice Expert, Advocate of the High Court of Kenya, and AGJA member.

International experts included **Mikel Delagrange**, International Criminal Law and Victims Expert at the Wayamo Foundation, **Hannah Bagdasar**, Digital Investigations and Accountability Expert, **Patrick Kroker**, Senior Legal Advisor, European Centre for Constitutional and Human Rights, **Libby McAvoy**, Legal Advisor, Mnemonic, and **Wieger Veldhuis**, Senior Public Prosecutor for International Crimes, Public Prosecution Service of The Netherlands. ■

*21 -23 November 2023
Kampala, Uganda*

WORKSHOP ON MODERN FORMS OF EVIDENCE AND UNIVERSAL JURISDICTION

The Wayamo Foundation hosted a three-day workshop in Kampala, Uganda, from 21-23 November 2023, to further explore the topic of **“Modern forms of evidence and the potential application of universal jurisdiction in the East African region to international crimes committed in Sudan.”** The workshop brought together Sudanese lawyers and human rights defenders, including those from Darfur, with experience in strategic litigation and the fight against impunity.

Bettina Ambach, Director of the Wayamo Foundation, opened the workshop and thanked the participants from the Sudanese diaspora based in Kenya, Uganda, Egypt, Qatar and Ethiopia for making the effort to attend. She explained that the capacity-building workshops to be held over the coming months would entail the strengthening of an open-source evidence repository capable of underpinning open-source investigations, the inclusion of international NGOs focused on strategic litigation with experience in universal jurisdiction cases, and the continued efforts of Sudanese lawyers and human rights defenders who are working on case development, documentation and evidence-collection.



The workshop aimed to build on the training delivered in Nairobi in July and September 2023, with a continued focus on different accountability mechanisms for international crimes, including the application of universal jurisdiction, investigative practices, modern forms of evidence, particularly open-source information, and examples of such evidence being used in practice. The workshop also featured presentations from The Netherlands Public Prosecution Service on the application of modern forms of evidence in the courtroom, and how that evidence could be used to support universal jurisdiction cases. The training consisted of briefing sessions, discussion and dialogue, as well as a presentation from each group of human rights defenders on its particular area of focus, as regards documentation and the challenges encountered thus far. Through these efforts, it is hoped that a coalition of civil society and legal actors committed to addressing impunity in Sudan will start coming together to pursue international, regional and domestic accountability measures, and foster universal jurisdiction opportunities in the East African region.

The participants engaged with a series of experts, including **Wieger Veldhuis**, Public Prosecutor for International Crimes, Public Prosecution Service of The Netherlands, **Abdalbasit Mohamed**, Legal and Research Officer, Wayamo Foundation, **Patrick Kroker**, Senior Legal Advisor, European Centre for Constitutional and Human Rights, **Libby McAvoy**, Legal Advisor, Mnemonic, **Hannah Bagdasar**, Digital Investigations and Accountability Expert, and **Betty Murungi**, Transitional Justice Expert, Advocate of the High Court of Kenya and member of the Africa Group for Justice and Accountability. The sessions were moderated by **Mikel Delagrance**, International Criminal Law and Victims Expert, Wayamo Foundation.

At the end of the workshop, participants expressed their satisfaction with the topics covered and the quality of the presentations. They emphasised the significance of open-source information, stating that it *“can significantly contribute to building criminal cases.”* Additionally, they recognised the role of comprehensive documentation, noting *“There is ample opportunity for documentation beyond just crimes committed; tracking illicit finances is also feasible.”* Moreover, participants stressed the importance of quality over quantity in human rights documentation, noting that *“it’s not about quantity but rather about the quality of information collected on human rights violations.”* ■



MAIN ACHIEVEMENTS

Following a tumultuous year, which saw the outbreak of the armed conflict in Sudan, Wayamo was able to transition our activities from a peacetime to a wartime footing, which included re-orienting our capacity-building activities for our beneficiaries, focusing in part on how to work effectively in the documentation of human rights violations for purposes of accountability while outside Sudan.

Wayamo has:

- ▶ **COMPLETED** comprehensive mapping of the justice sector and media landscape in Sudan.
- ▶ **CONDUCTED** comprehensive needs assessment to ensure precise and fit-for-purpose deliverables to our key stakeholders.
- ▶ **INTRODUCED** new methodologies in our training, such as open-source investigations in November 2022, with a much greater emphasis laid on this area since May 2023.
- ▶ **WORKED WITH** our target groups on how to best mainstream open-source investigations into their investigations and newsrooms, thereby enhancing the quality of documentation reports, case-building exercises and news reports respectively.
- ▶ **IMPLEMENTED** practical training workshops on documenting human rights violations for accountability purposes, for civil society actors and human rights defenders from Sudan.
- ▶ **CONSOLIDATED** our robust network of trusted international, regional and national experts and professionals who support the organisation's ongoing programming and efforts, all of which has put Wayamo in an unparalleled position of trust and confidence.
- ▶ **PROVIDED** avenues for engagement with eminent personalities in the international justice space, including AGJA members. We have linked Sudanese legal and journalistic actors up with high-level expertise, which has informed and transformed both their activities and the aims of their justice and accountability work.
- ▶ **INTRODUCED** universal jurisdiction for international crimes committed in Sudan into the domestic legal and political conversation in two key East African states.
- ▶ **FOSTERED** cooperation with actors and organisations involved in the documentation of human rights violations, as well as with prosecution authorities. This collaboration extends not only to the ICC, with which Wayamo has a long-standing relationship, but also to prosecution authorities in East Africa. Wayamo sees an opportunity to build synergies to avoid duplication of efforts.

THE AFRICA GROUP FOR JUSTICE AND ACCOUNTABILITY

The Africa Group for Justice and Accountability (AGJA) 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 cooperation between Africa and the International Criminal Court”.

One of its unique features is its independence from governments, the International Criminal Court and other organisations. This has been indispensable to the Group’s mandate. 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. ■

Members on hiatus

- ▶ **ZAINAB HAWA BANGURA (Sierra Leone)**, Director-General of the United Nations Office at Nairobi and former UN Special Representative of the Secretary-General on Sexual Violence in Conflict
- ▶ **MOHAMED CHANDE OTHMAN (Tanzania)**, Former Chief Justice of Tanzania, Chair of the Independent International Fact-Finding Mission for the Sudan

Emeritus members

- ▶ **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 & Director, School of International Affairs
- ▶ **FEMI FALANA (Nigeria)**, Human rights activist and lawyer

2023 AGJA members:



Chairperson

FATIHA SEROUR (Algeria)

former Deputy Special Representative of the UN Secretary General in Somalia and member of the Global Women Leaders Voices for Change and Inclusion



DAPO AKANDE (Nigeria)

Professor of Public International Law, University of Oxford



NAVI PILLAY (South Africa)

Former UN High Commissioner for Human Rights



RICHARD GOLDSTONE (South Africa)

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



BETTY KAARI MURUNGI (Kenya)

Senior Advocate of the High Court of Kenya, transitional justice expert, and Professor of practice, SOAS



ABDUL TEJAN-COLE (Sierra Leone)

Former Executive Director of the Open Society Initiative for West Africa



HASSAN BUBACAR JALLOW (Gambia)

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



CATHERINE SAMBAPANZA (Central African Republic)

Former Transitional President of the Central African Republic



AÏCHATOU MINDAOUDOU (Niger)

Former United Nations Special Representative in Côte d'Ivoire, former Acting Joint UN/AU Special Representative in Darfur, Sudan



FATOU BENSOU DA (The Gambia)

Former Chief Prosecutor of the International Criminal Court

The Africa Group for Justice and Accountability

STATEMENTS AND MESSAGES

24 January 2023

**THE AFRICA GROUP FOR JUSTICE AND ACCOUNTABILITY
WELCOMES FATOU BENSOU DA AS ITS NEWEST MEMBER**

The Africa Group for Justice and Accountability and its secretariat, the Wayamo Foundation, are extremely pleased to announce that **Fatou Bensouda** has joined the Group.

2023



4 April 2023

AGJA EXPRESSES CONCERN OVER NEWS OF VLADIMIR PUTIN'S POSSIBLE VISIT TO SOUTH AFRICA

Ms. Bensouda has a long and distinguished career in international criminal law. From 2012-2021, she was the Chief Prosecutor of the International Criminal Court (ICC), and had previously served as Deputy Prosecutor of the ICC (2004-2012) and worked at the International Criminal Tribunal for Rwanda. Prior to her career in international law, Ms. Bensouda held the posts of Justice Minister and Attorney-General of The Gambia (1998-2000). In recognition of her efforts, Ms. Bensouda has received numerous accolades, including her nomination as one of Time magazine's 100 most influential people in 2012 and the BBC's 100 Women in 2015.

Ms. Bensouda brings a wealth of knowledge and expertise to the work of the AGJA. Needless to say, both the Group and Wayamo are delighted by Ms. Bensouda's addition to the organisation and look forward to working with her to further justice and accountability efforts in Africa and beyond. ■

The Africa Group for Justice and Accountability expresses its concern at reports that the Government of South Africa has invited Russian President Vladimir Putin to an upcoming BRICS conference in Pretoria. The Africa Group calls on the government to rescind any such invitation to Mr. Putin, and to clearly and unequivocally commit to detaining and surrendering him to the International Criminal Court (ICC), should he arrive in the country.

Mr. Putin is the subject of a recent arrest warrant issued by the ICC on charges of war crimes. The warrant alleges that Mr. Putin is responsible for the forcible transfer and deportation of children from Ukraine to Russia. As an ICC State Party, South Africa has a legal obligation to enforce any arrest warrant issued against Mr. Putin by the Court.

The Africa Group strongly urges the South African Government to refrain from repeating the mistakes made during former Sudanese President Omar al-Bashir's visit in 2015, at a time when there was an outstanding ICC warrant for his arrest. In 2016, the South African Supreme Court of Appeal unanimously decided that the government had breached its obligations under South African law by failing to arrest and detain Mr. al-Bashir for surrender to the ICC. The AGJA would like to remind the South African government that the legal requirement to detain and surrender Mr. Putin arises not only from the country's international obligations but also from its constitutional obligations.

Victims and survivors of atrocities, be these committed in Ukraine or elsewhere, deserve justice and accountability. As a traditional supporter of the ICC — and indeed one that has recently reiterated its commitment as a member of the Court — South Africa is in a position to lead the way when it comes to justice and accountability for international crimes. The Africa Group would therefore encourage South Africa to do so.

In line with its Kilimanjaro Principles, the Africa Group stands ready to provide expertise and advice on this subject to both the Government of South Africa and all other interested parties. ■



May 2023

AGJA WELCOMES NEW MEMBER AÏCHATOU MINDAODOU (NIGER)

The Africa Group for Justice and Accountability and its secretariat, the Wayamo Foundation, are pleased to announce that **Aïchatou Mindaoudou** has joined the Group.

Ms. Mindaoudou is the former United Nations Special Representative in Côte d'Ivoire, and former Acting Joint UN/AU Special Representative in Sudan, Darfur. She has also served in various government positions in Niger, where she held among others the position of Minister of Foreign Affairs.

In 2020, she was appointed by the World Health Organisation (WHO) to co-chair an independent commission to investigate claims of sexual exploitation and abuse by WHO staff during the 2018 Ebola outbreak in the provinces of North Kivu and Ituri, Democratic Republic of the Congo. ■

1 June 2023

On 1 June 2023, AGJA issued a statement expressing its concern over ongoing atrocities in Sudan. The statement reads as follows:

AGJA EXPRESSES CONCERN OVER INSTABILITY AND ATROCITIES COMMITTED IN SUDAN

The [Africa Group for Justice and Accountability](#) calls on the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) to commit to an end to hostilities and to respect the lives, dignity and democratic aspirations of the Sudanese people. AGJA expresses its concern over the ongoing violence in Sudan and allegations that parties to the conflict in the country have perpetrated human rights abuses and international crimes. The Group calls on all sides involved in the hostilities to commit to the protection of civilians in line with international humanitarian and international human rights law.

Moreover, AGJA urges the international community to hold any and all perpetrators of international crimes to account. The International Criminal Court (ICC) has been conducting an investigation into Darfur, Sudan, since 2005.

From 17-19 May 2023, a cohort of AGJA members participated in expert meetings held in Nairobi, Kenya, by the Wayamo Foundation to address the collection and preservation of evidence – including open-source and digital information – relating to alleged human rights abuses and international crimes. AGJA commends and encourages these and all other relevant efforts aimed at delivering justice and accountability for victims and survivors of atrocities in Sudan.

In line with its [Kilimanjaro Principles](#), the Africa Group for Justice and Accountability stands ready to provide expertise and advice on this subject to all interested parties.

The situation in Sudan deteriorated on 15 April 2023 when armed conflict broke out between the SAF and the RSF. Civilians have been caught in the crossfire, as the two belligerent forces vie for power. Reports suggest that at least 900 people have been killed in clashes across the country, including Darfur. Many more have fled their homes. Repeated attempts to broker cease-fires have failed. ■



9 August 2023

PROFESSOR DAPO AKANDE APPOINTED CHICHELE PROFESSOR OF PUBLIC INTERNATIONAL LAW

The Wayamo Foundation and the Africa Group for Justice and Accountability congratulate their long-standing colleague and friend Dapo Akande on his appointment to the [Chichele Professor of Public International Law, at Oxford University](#). Prof. Akande has been an invaluable member of the Group since its creation in 2015 and has engaged in numerous Wayamo-AGJA projects over the past decade. Both AGJA and Wayamo wish Dapo success in his new post and look forward to working with him for many years to come.

Congratulations, Dapo! ■



18 December 2023

MOHAMED CHANDE OTHMAN APPOINTED CHAIR OF THE UN HUMAN RIGHTS FACT FINDING MISSION ON SUDAN

Our long-time AGJA colleague Mohamed Chande Othman has been appointed by the President of the UN Human Rights Council, as one of three independent members of the Independent International Fact-Finding Mission for Sudan, with Mr. Othman serving as Chair. Established through resolution A/HRC/RES/54/2 in October 2023, the Mission aims to investigate human rights violations and abuses, as well as violations of international humanitarian law, in the context of the ongoing armed conflict in Sudan. It will collect evidence for potential legal proceedings, identify responsible parties, and make recommendations to end impunity and ensure justice for victims. ■

The Africa Group for Justice and Accountability

ACTIVITIES



19 May 2023

AGJA CO-ORGANISES SYMPOSIUM EXPLORING TRANSITIONAL JUSTICE EFFORTS IN AN EVER-CHANGING WORLD, AND PARTICIPATES IN WAYAMO-ORGANISED EVENTS

Recognising that human rights violations are being committed on a daily basis in Sudan, the Wayamo Foundation, the Africa Group for Justice and Accountability and the Aga Khan University Graduate School of Media and Communication hosted a public symposium on transitional justice and international criminal law on 19 May 2023, in Nairobi, Kenya. The symposium brought 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.

The AGJA meeting marked the culmination of a series of events held during the week in Nairobi. These included an expert meeting on the documentation of international crimes and human rights violations for future accountability purposes, held by the Wayamo Foundation from 17-18 May 2023. During the expert meeting, AGJA members took part in a special session, where they devoted time to explaining the role of UN commissions of inquiry and national human rights commissions in the collection and preservation of evidence, and discussed how open-source information might contribute to future investigative panels and commissions of inquiry. During the expert meeting and international symposium, AGJA members shared their expertise and knowledge with a diverse audience drawn from Sudanese and Kenyan civil society organisations, the Kenya Bar Association, media representatives from Kenya and the Sudanese diaspora, the diplomatic corps, and students from various Nairobi universities.

For more details on these events, see our Sudan project activity section elsewhere in this report. ■



20 May 2023

STRATEGIC MEETING OF THE AFRICA GROUP FOR JUSTICE AND ACCOUNTABILITY IN NAIROBI

On 20 May 2023, the Africa Group for Justice and Accountability held a strategic meeting at the Fairview Hotel, Nairobi. The meeting, which had been convened to discuss strategy and plan upcoming group activities, was formally opened by AGJA chairperson, **Fatiha Serour**, who took the opportunity to welcome members, both old and new. Two new members had joined AGJA's ranks in recent months, namely: **Fatou Bensouda**, former ICC prosecutor and Gambia High Commissioner to the United Kingdom; and **Aïchatou Mindaoudou**, former United Nations Special Representative in Côte d'Ivoire, former Acting Joint UN/AU Special Representative in Sudan Darfur, and former Minister of Foreign Affairs, Niger. Other members attending the meeting included **Mohamed Chande Othman** (AGJA member on hiatus), **Navi Pillay** and **Betty Murungi**, all of whom participated in person, and **Richard Goldstone** and **Hassan Jallow**, who participated online. ■



WAYAMO ONLINE RESO

Wayamo Foundation launches bilingual Sudan online justice hub, empowering civil society and legal community with vital resources.

In December 2023, the Wayamo Foundation launched its Sudan online justice hub. The hub, which has been several months in the making, is a bilingual English and Arabic website that provides a comprehensive platform consolidating print and multimedia materials relating to the ongoing conflict in Sudan, regional and international experiences with justice, and tools that empower civil society actors to respond to ongoing violations in the country.

The hub features content designed for human rights defenders, civil society organisations, journalists, university students, academics, researchers, and all those with an interest in international criminal justice in Sudan. The platform is also designed to serve as a valuable resource for Sudanese lawyers and, potentially, for investigators, prosecutors and judges.

CLICK ON THE LINK TO VISIT THE PROJECT PAGE:

► [Wayamo Online Resource Hub](#)

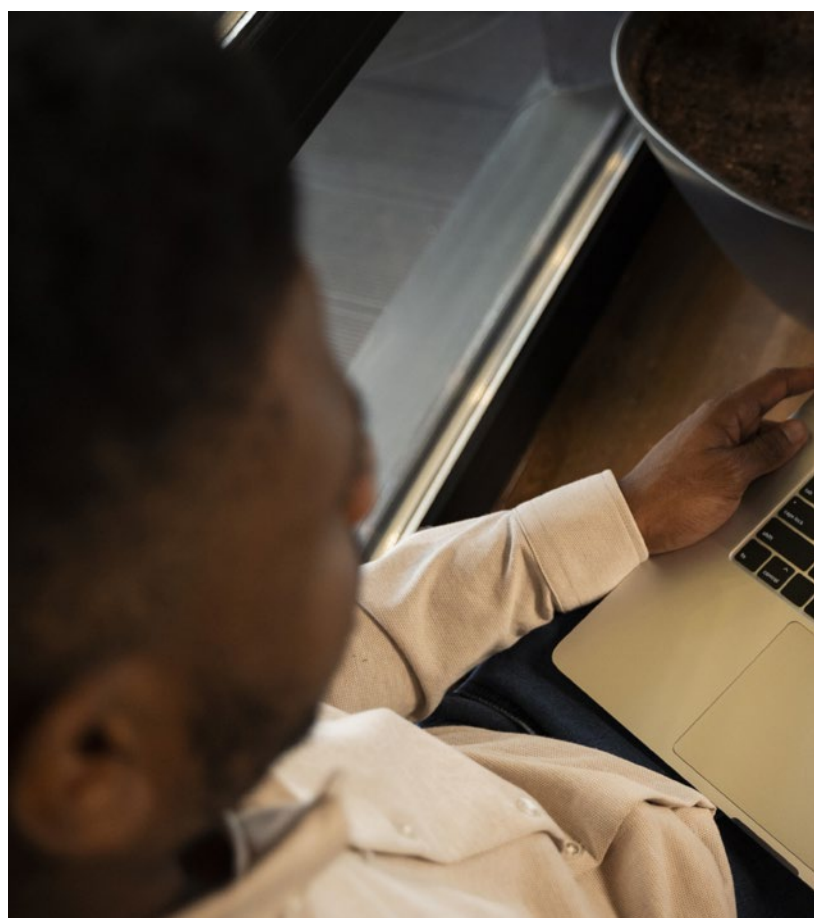
KEY FEATURES OF THE SUDAN JUSTICE HUB

1. Comprehensive coverage

The hub focuses on justice and accountability resources for Sudan, offering insights into regional and international experiences with justice. This includes a wealth of resources to aid civil society actors in responding to ongoing violations in the country.

2. Expert interviews

Experts in investigations, international justice, and domestic prosecution of international crimes offer unique perspectives and insights for the Sudanese audience and beyond.



SOURCE HUB

3. Fact sheets

Quick introductions to complex justice-related themes provide a nuanced starting point for understanding the challenges and opportunities facing Sudanese civil society and journalists.

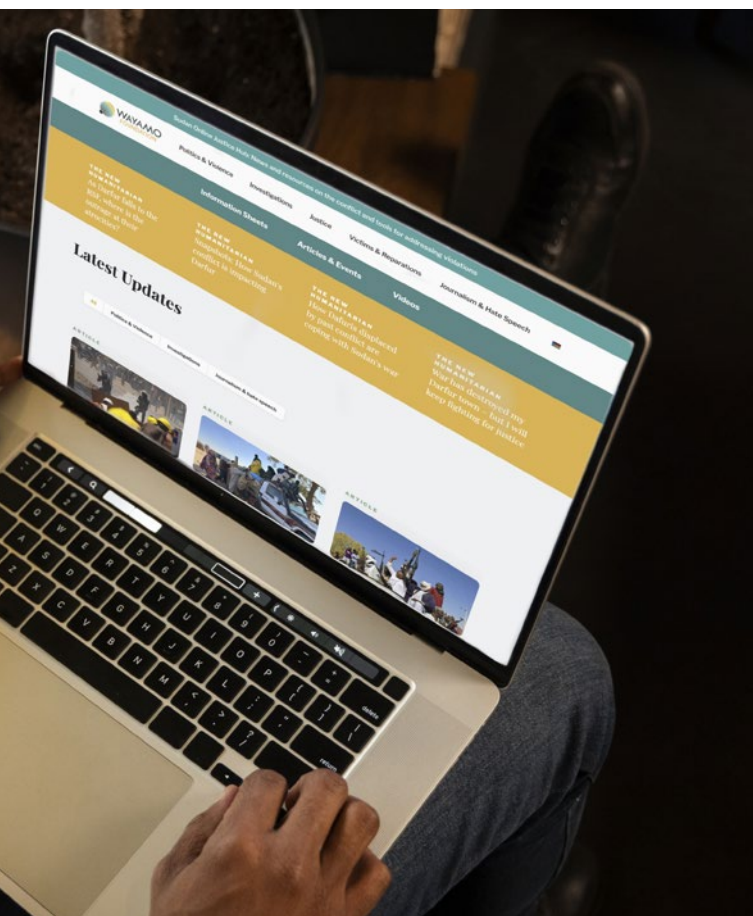
4. Skill building

The hub focuses on practical information to empower individuals and organisations with the necessary tools to contribute effectively to justice initiatives.

5. Wayamo Journalism Network

The hub features information on journalistic best practices, such as conflict-sensitive reporting, as well as journalistic contributions from members of the Wayamo Journalism Network and partner organisations, which will enhance comprehension of the current situation in Sudan and its implications for international criminal justice.

The Sudan Justice Hub reflects Wayamo's commitment to fostering knowledge, skill-building, and collaboration among diverse stakeholders involved in the pursuit of justice, and is supported by the Ministry of Foreign Affairs of The Netherlands and the German Federal Foreign Office. The hub is available online at the following address: sudan-justice-hub.wayamo.com ■



ASSEMBLY OF STATES

Wayamo hosts ICC ASP side event on universal jurisdiction, open-source evidence, and accountability (New York, USA)

On 6 December 2023, the Wayamo Foundation held a side event at the Assembly of States Parties of the International Criminal Court (ICC), at the headquarters of the United Nations in New York City. The event, entitled *“A crack in the wall: universal jurisdiction, open-source evidence and accountability in hard cases (an opportunity for Sudan?)”* was co-hosted by The Netherlands, Switzerland, Liechtenstein, Germany and France.

The event focused on three interrelated themes that have been the focus of Wayamo’s recent programming: the war in Sudan and the atrocities committed in the context of that conflict; the relevance and applicability of open-source evidence and information in building cases against atrocity crime perpetrators; and the potential exercise of universal jurisdiction in the context of East Africa.

The event was opened by **Ambassador Sandra Lendenmann Winterberg**, Vice-Director, Directorate of International Law, Federal Department of Foreign Affairs of Switzerland, who welcomed the seventy-five guests and panellists present. Ambassador Lendenmann was followed by Wayamo Director, **Bettina Ambach**, who spoke on Wayamo’s ongoing work to address international crimes in the context of Sudan through, among other things, documentation of human rights violations, with a special focus on open-source information and the exploration of universal jurisdiction cases.

Before introducing the panellists, Wayamo’s Senior Consultant, **Mark Kersten**, spoke about Wayamo’s programming and the need to democratise the use of universal jurisdiction. While its invocation in Western states was welcome, there is an evident need and desire to see universal jurisdiction exercised in relation to atrocity crimes in African states, including those in the East African region.



PARTIES TO THE ICC

bility

The first panellist, **Quscondy Abdulshafi**, Senior Regional Advisor-Africa at Freedom House, provided an overview of the conflict dynamics in Sudan since 9 April 2023. Abdulshafi described some of the atrocities that had been committed by the warring factions and detailed the limited accountability mechanisms – relating to both international criminal law and transitional justice – available to victims and survivors of atrocities in the country.

Lindsay Freeman, Director of Technology, Law and Policy at the Human Rights Centre, Berkeley School of Law, remarked on how much has changed with respect to the conduct of investigations. Having been at the ICC when the investigation into the Darfur situation was opened, Freeman noted how much more attention is now being paid to open-source evidence collection in the Office of the Prosecutor. She also underscored the relevance and applicability of this evidence to case construction and accountability efforts for international crimes.

Picking up where Freeman had left off, **Nema Milaninia**, Special Advisor to the U.S. Ambassador-at-Large for Global Criminal Justice, described the use of open-source intelligence and evidence in a number of cases, including a handful at the ICC. He elaborated on numerous efforts to build such cases in various contexts and the important role that they can play in relation to atrocities committed in Sudan, Ukraine, the Central African Republic and elsewhere. Milaninia also emphasised that open-source evidence does not displace traditional forms of evidence but should work in conjunction with them to build the strongest possible case against the perpetrators of atrocity crimes.

Christian Ritscher, Special Adviser and Head of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD), described UNITAD's experience of investigating complex international crimes in Iraq, processes of evidence collection and sharing with third-party states. Their activities consisted of interviewing witnesses, collecting and digitising documentary evidence, working with a lab capable of extracting digital information from smartphones, and organising mass-grave excavations.



Legal Consultant on International Criminal Law & Redress for Survivors of Atrocity Crimes, **Amanda Ghahremani**, then turned to the viability of universal jurisdiction cases, with specific reference to Uganda, Kenya and Mauritius. Ghahremani noted important differences in universal jurisdiction regimes and some of the limitations of exercising universal jurisdiction, but was nevertheless hopeful about the potential of these countries to address international crimes committed in the region as a whole, and specifically in Sudan.

The panel discussion was followed by a wide-ranging and enriching Q&A session with an audience made up of diplomatic officers, members of the Darfur Bar Association, academics, and members of civil society. While the conversation was sober in its exploration of the prospects and challenges of achieving accountability in contexts such as Sudan, a common theme running through both the panel and ensuing discussion was hope, in the sense that meaningful justice could be made possible, that international crimes could be addressed, and that new institutions and states could lead the way. ■

Annex 1

LIST OF 2023 ACTIVITIES

USA

6 DECEMBER 2023, NEW YORK

- Wayamo co-hosts side event with The Netherlands, Switzerland, Liechtenstein, Germany and France at the Assembly of the States Parties of the International Criminal Court, on universal jurisdiction, open-source evidence, and accountability

GERMANY

1 SEPTEMBER 2023, BERLIN

- Wayamo launches the symposium report: Transition from where? Transition to what? Exploring transitional justice efforts in an ever-changing world

DECEMBER 2023, BERLIN

- Online Resource Hub: Wayamo Foundation launches bilingual Sudan online justice hub, empowering civil society and legal community with vital resources

NIGERIA

15 FEBRUARY 2023, ABUJA

- Workshop: Investigating and prosecuting conflict-related sexual violence

13 APRIL 2023, ABUJA

- Wayamo and the Nigerian National Human Rights Commission co-host a lecture entitled *“Introduction to International Criminal Law and its domestic application with a special focus on inquiries and investigations”*

UGANDA

2 - 3 MARCH 2023, KAMPALA

- Strategic dialogue in Kampala, Uganda for Sudanese lawyers and civil society actors on transitional justice and accountability for international crimes and how to apply these within the framework of the transitional justice process in Sudan.

4- 7 MARCH 2023, KAMPALA

- Wayamo hosts workshop for Sudanese independent lawyers on regional precedents on transitional justice
- Wayamo hosts workshop for Sudanese media actors on conflict-sensitive journalism and digital safety practices.

11-13 NOVEMBER 2023, KAMPALA

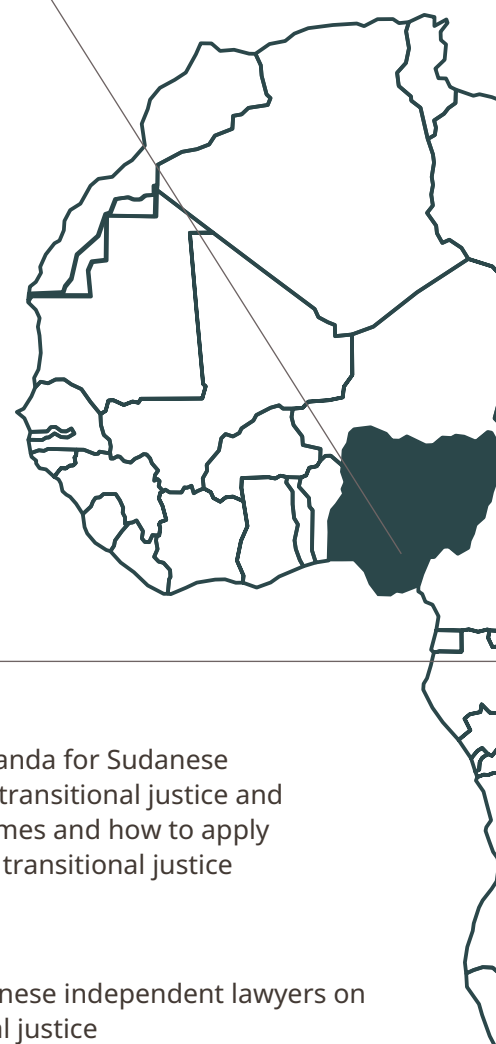
- Wayamo hosts workshop on responsible media for justice and accountability in Sudan

20 NOVEMBER 2023, KAMPALA

- Wayamo and ODPP Uganda co-host symposium on domestic accountability mechanisms for international crimes

21 -23 NOVEMBER 2023, KAMPALA

- Wayamo hosts workshop on modern forms of evidence and universal jurisdiction for Sudanese lawyers and human rights defenders





SUDAN

FEBRUARY 2023, KHARTOUM

- Wayamo conducts a broad-based stakeholder consultation exercise and capacity-building workshops for lawyers and civil society actors.

KENYA

17 - 18 MAY 2023, NAIROBI

- Wayamo hosts an expert meeting on documenting international crimes and human rights violations so that Sudanese civil society representatives, human rights defenders, and journalists can exchange views with high-level experts from the International, Impartial and Independent Mechanism for Syria, Sudanese Archive, International Residual Mechanism for Criminal Tribunals, Africa Group for Justice and Accountability, and members of past and current international commissions of inquiry.

19 MAY 2023, NAIROBI

- Wayamo, the Africa Group for Justice and Accountability and the Aga Khan University Graduate School of Media and Communication co-host a public symposium on transitional justice and international criminal law entitled, "Transition from where? Transition to what? Exploring transitional justice efforts in an ever-changing world"

20 MAY 2023, NAIROBI

- Strategic meeting of the Africa Group for Justice and Accountability held in Nairobi

17 JULY 2023, NAIROBI

- Wayamo hosts international justice day symposium on accountability for human rights violations in Sudan

18 - 19 JULY 2023, NAIROBI

- Wayamo organises a workshop on the documentation of international crimes and human rights violations for future accountability purposes.

6 - 8 SEPTEMBER 2023, NAIROBI

- Wayamo hosts workshop on modern forms of evidence and universal jurisdiction for Sudanese lawyers and human rights defenders

7 SEPTEMBER 2023, NAIROBI

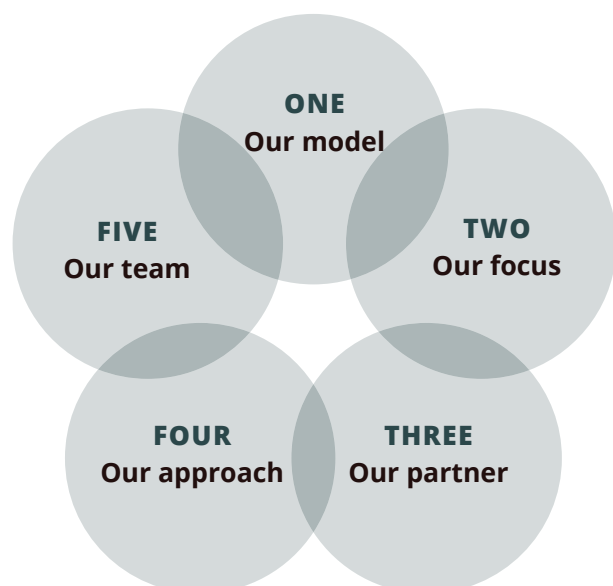
- Wayamo co-hosts symposium with the Prosecution Training Institute on accountability mechanisms for international crimes

11-13 SEPTEMBER 2023, NAIROBI

- Wayamo hosts workshop on responsible media for justice and accountability in Sudan

Annex 2

WHAT SETS US APART



Wayamo gGmbH is an independent, non-profit organisation established to strengthen the rule of law, promote justice for international and transnational crimes and foster transparency through judicial capacity building, mediation and informed journalism:

Wayamo does this by:

- **building** the capacity of national judicial systems;
- **training** judges, prosecutors, investigators and journalists;
- **advocating** transparency and accountability, often in post-conflict settings;
- **facilitating** and supporting dialogue between civil society and government leaders; and,
- **creating** networks of the highest-ranking investigators and prosecutors to combat international and transnational organised crimes.

<p>OUR MODEL - FOUR IN ONE</p>	<p>Wayamo projects are based on a four-pillar model:</p> <ul style="list-style-type: none"> (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.
<p>OUR FOCUS - HOLISTIC CAPACITY- BUILDING APPROACH</p>	<p>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.</p>
<p>OUR PARTNER - AGJA</p>	<p>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.</p>
<p>OUR APPROACH - PRIORITISING LOCAL</p>	<p>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.</p>
<p>OUR TEAM - SMALL SIZE, LARGE FOOTPRINT</p>	<p>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.</p>

Annex 3

WAYAMO TEAM



BETTINA AMBACH

Executive Director



LINDA BORE

International Criminal
Lawyer & Project Coordinator



KRIS KOTARSKI

Digital Programmes Manager



MARK KERSTEN

Senior Consultant



ABDALBASIT MOHAMED

Legal and Research Officer



REBEKA JUHOŠOVÁ

Legal Researcher and
Data-Management Expert



SONIA WEESE

Chief Financial Officer



JOSEPH ROBERTS-MENSAH

Africa Director



SAMAH MOHAMMED

Legal Researcher and Project Officer



JUDIE KABERIA

Project Coordinator for East Africa



MIKEL DELAGRANGE

Senior Legal Adviser



AHMED GOUJA

Communications and Logistics Officer



MICHAEL BENEDICT

Documentation Editor

Annex 4

FUNDERS 2023

In 2023, the Wayamo Foundation received funding from the following donors:

Ministry of Foreign Affairs of the Netherlands



Federal Foreign Office, Germany



Swiss Department of Foreign Affairs



Wellspring Philanthropic Fund



United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict



Annex 5

PUBLICATIONS AND VIDEOS



WAYAMO VIDEO LIBRARY

February 2023
wayamo.com/archives/video

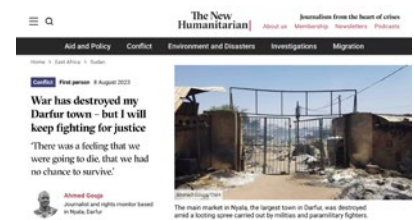
The Wayamo Foundation launched its new video library on International Criminal Justice in February, featuring over 150 videos. From interviews with leading experts to engaging panel discussions and insightful documentaries, the Wayamo video library offers a wealth of knowledge and expertise on a range of topics, including international criminal law, human rights, transitional justice, and much more. This comprehensive collection provides unique insights into the complex and ever-evolving field of international justice, and many opportunities to learn more about the most pressing issues facing the global justice system, while also highlighting the latest research, analysis, and expert opinions in the field.



WAYAMO REPORT FROM THE INTERNATIONAL JUSTICE SYMPOSIUM: TRANSITIONS FROM WHERE? TRANSITION TO WHAT? EXPLORING TRANSITIONAL JUSTICE EFFORTS IN AN EVER-CHANGING WORLD

May 2023
wayamo.com/reports

The report distils the diverse discussions held during the international symposium at the Aga Khan University Graduate School of Media and Communication on 19 May 2023, in Nairobi, Kenya. These encompassed panel discussions and interactive sessions, notably featuring a compelling discourse entitled, “*An ongoing obligation: the continuing importance of accountability in Sudan.*” Additionally, the symposium explored other pivotal themes, including, “*Transitional justice in a transitioning world*” in Panel 1, and “*Meeting the threshold: opportunities and challenges in the collection of evidence of mass atrocities*” in Panel 2. This was followed by a conversation entitled, “*Lessons from the field: prosecuting international crimes in domestic courts*”, and concluded with Panel 3, entitled “*Turning the tide? Renewed momentum on international criminal law and addressing concerns about double standards*”.



NEW HUMANITARIAN, “WAR HAS DESTROYED MY DARFUR TOWN – BUT I WILL KEEP FIGHTING FOR JUSTICE”, AHMED GOUJA

8 August 2023
thenewhumanitarian.org/opinion/first-person/2023/08/08/war-has-destroyed-my-darfur-town-i-will-keep-fighting-justice

Delving into the complexities of a region profoundly impacted by conflict, Wayamo’s Communications and Logistics Officer, Ahmed Gouja, published a personal account of the situation in his home town in Darfur. In the story, he gives his perspective of the challenges faced by civilians in Darfur, as well as the urgent need for humanitarian assistance, justice and accountability: “*I personally will never give up the fight for justice in Darfur. I will not stop documenting crimes and calling for an end to impunity. I will always seek to bring attention to what is happening in my region. The next generation deserves nothing less.*”



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