

## Broadcasting Justice: Media Outreach at the Khmer Rouge Trials

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I S S U E S

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*Roth Nimol, along with co-host Thol Ngorntay, presents Facing Justice, a television series produced as part of the outreach efforts surrounding the Extraordinary Chambers in the Courts of Cambodia (ECCC). Image courtesy of Asian International Justice Initiative (AIJI).*

**SUMMARY** Increasingly, individuals who have perpetrated mass atrocities are being held to account in criminal tribunals. Whether these are in-country tribunals or convened elsewhere, one of their main purposes is to obtain justice for victims. Building a bridge between the tribunal and the affected population is key to achieving this and other goals, such as promoting the rule of law and community reconciliation. But limited or ineffective outreach can negate the wider potential of these tribunals. Surprisingly, tribunals do not typically give the outreach process the priority needed to realize its potential. The case of the tribunal in Cambodia, which is trying leaders of the Khmer Rouge, demonstrates that innovative approaches to outreach—including, in this case, a TV series in a popular talk-show format—can help ensure that the opportunity for national progress provided by the tribunal is fully realized.

The past two decades have seen new impetus for action to end impunity for mass atrocities, including crimes against humanity, war crimes, and genocide. More resolute responses by the international community in respect to these crimes have resulted in the establishment of a number of international or internationally supported tribunals. Apart from deterring future perpetrators and fostering a sense of justice in the wake of violent conflict, it is also hoped that these tribunals will make a contribution to longer-term societal processes, including promoting the rule of law, and perhaps even building reconciliation among survivors. While there is no agreement among observers and practitioners about the extent or strategies through which tribunals should contribute to these broader socio-political processes—many cautioning that judicial institutions should not be overburdened with expectations—most concur that a tribunal’s operations, impact, and legitimacy are strongly shaped by its relationship with concerned populations. The vehicle for a tribunal to engage this relationship is through outreach.

Although there is no common definition, outreach is the term that generally describes the set of activities or tools that a tribunal puts in place to communicate with affected populations and survivors, in order to raise awareness and promote understanding of the justice process. This communication establishes transparency of the process, enables survivors to participate in a tribunal’s proceedings (as witnesses or victim participants), and provides some form of official acknowledgement of past atrocities. By promoting this kind of public engagement, a tribunal’s outreach program contributes to developing a sense of ownership of the process among affected populations and building legitimacy in complex post-conflict or post-authoritarian contexts.<sup>1</sup> Effective outreach can thus function as a bridge between a tribunal and local populations, thereby providing opportunities for extracting the benefits outlined above. Limited or ineffective outreach, on the other hand, could undermine the larger purpose and legitimacy of the justice process.

What may presently appear as common sense has, in fact, been a protracted learning curve for most

of the judicial institutions involved—and one that has been accompanied by debate about the nature, scope, and effectiveness of tribunals’ outreach programs. The first two ad hoc international criminal tribunals—the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR)—were both established by the UN Security Council outside the affected countries, mainly to safeguard the tribunals’ independence and integrity in complex post-conflict political environments. The distance between these tribunals and the survivors and communities they exist for, created additional obstacles to the visibility of the tribunals’ work. Scholars and researchers have generally delivered quite critical assessments of the outreach programs at both tribunals—particularly a lack of outreach during the early years—but they have also credited the institutions for learning from past mistakes and enhancing their outreach programs over time.<sup>2</sup>

The subsequent formation of mixed internationalized or hybrid tribunals, commonly employing a combination of international and national staff and legal sources, and located within the affected countries themselves, was providing an opportunity to overcome the distance and close the gap between tribunals and concerned societies. Presumably, hybrid courts are in a stronger position to engage local populations because of their in-country location and access to staff and intermediaries who are familiar with relevant languages, culture, and customs. The outreach program at the Special Court for Sierra Leone, for instance, has been considered a more positive example for an effective outreach program. An early start, consistent engagement with local stakeholders, including civil society and survivors, as well as the creative use of various outreach materials and media contributed to making the Court and its proceedings more known among Sierra Leoneans.<sup>3</sup> The UN Office of the High Commissioner for Human Rights (OHCHR) concludes “a hybrid court may be seen as largely irrelevant unless there is a robust outreach programme that informs the public about its activities.”<sup>4</sup>

***By promoting public engagement, a tribunal’s outreach program contributes to developing a sense of ownership of the process***



Probably the most important prison in Cambodia under the Khmer Rouge regime, Security Prison 21 (S-21), or Tuol Sleng prison, in Phnom Penh held approximately 14,000 prisoners while in operation (some estimates are considerably higher). Primarily Cambodian, they were detained, interrogated, tortured, and executed. By some accountings, only about a dozen of these prisoners survived. The prison was a former high school campus that was transformed into a prison and interrogation center that functioned from 1975 to 1979. Kaing Guek Eav (a.k.a. "Duch") is known for running S-21.

The prison is now part of the Tuol Sleng Genocide Museum. The regime's practice of photographing and extensively documenting prisoners has provided photos and records that are now a part of the museum.

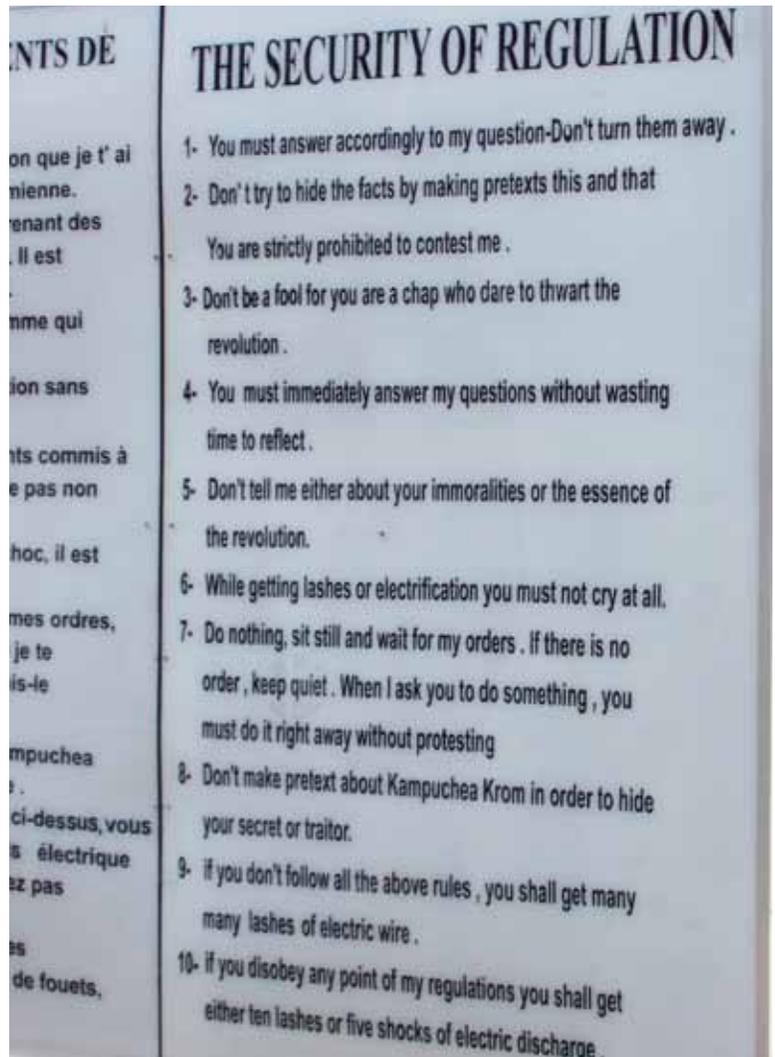


Exhibit at the Tuol Sleng Genocide Museum lists ten "security regulations" attributed to Duch's administration of S-21.



Photos of displays of prisoner intake photos at the Tuol Sleng Genocide Museum by Clay Gilliland (CC BY-SA 2.0).

Despite these experiences at tribunals around the world, the debates about the scope and effectiveness of outreach programs continue. Outreach remains, arguably, under-studied, and the range of approaches to outreach has not been widely systematized. Because outreach programs by their nature serve a public function, their success or failure is a matter of public concern and as such further discussions, not just limited to practitioners, should be encouraged. In particular, the outreach program at the permanent International Criminal Court (ICC) in The Hague, while sharing the geographical distance with the ICTY and ICTR, has the opportunity to build upon the many lessons learned from other tribunals. This paper does not provide the space or format for an in-depth discussion about these lessons learned. However, the following examination of a nongovernmental project that has complemented a tribunal's own outreach program by providing outreach-friendly television broadcasting of the Khmer Rouge trials in Cambodia contributes to the larger debate about how to enhance the impact of outreach programs at international and hybrid tribunals.

*One distinct feature of the ECCC is its extensive victim participation scheme*

### **The Case of the Khmer Rouge Trials**

The twentieth century has seen many violent conflicts and mass atrocities in Cambodia, the worst occurring in the period of Democratic Kampuchea, often referred to as the era of the Khmer Rouge regime, from 1975 to 1979. It is estimated that around 1.7

million people died during this time, mainly through killings, persecution, and starvation. The 1991 Paris Peace Agreements, which provided for one of the largest peacekeeping missions in the history of the United Nations, did not mention bringing to justice those responsible for these crimes. However, in 1997, the then two Cambodian Co-Prime Ministers wrote to the UN Secretary-General requesting United Nations assistance to the Royal Government of Cambodia, to bring to justice those most responsible for the crimes committed during the reign of the Khmer Rouge regime. It was only in 2003, after many years of protracted negotiations, that both parties were able to conclude an agreement to establish the Extraordinary Chambers in the Courts of Cambodia (ECCC), often referred to as the Khmer Rouge Tribunal.

The ECCC is a mixed hybrid court of national and international composition, applying both international and Cambodian national law. Following the commencement of operations in 2006, five individuals were charged to be subsequently tried in two cases before the ECCC, Case 001 and Case 002. Additional prosecutions are considered but remain stagnant. One distinct feature of the ECCC is its extensive victim participation scheme. The ECCC Internal Rules allow survivors to either file a complaint with the Co-Prosecutors or to apply to the Co-Investigating Judges to become a civil party and to claim collective and moral reparations. Accordingly, victims are permitted to play an active role in proceedings with extensive procedural rights, providing them direct access to



*The public gallery view of main ECCC courtroom. Photo courtesy of Public Affairs Section / Extraordinary Chambers in the Courts of Cambodia (ECCC).*

***More than 8,000 survivors have applied to participate in the ECCC's proceedings***

justice and the opportunity to present their personal experiences and views. More than 8,000 survivors have applied to participate in the ECCC's proceedings, either as complainants or civil parties.<sup>5</sup>

Throughout its operation, the Court has faced numerous challenges. These have included not only high costs and lengthy proceedings, but also allegations of corruption and political interference. The United Nations and international donors supporting the ECCC through voluntary contributions have made multiple attempts to contain these problems, all the while attempting to ensure compliance with international standards of justice. Despite these problems, the pronouncement in July 2010 of the first verdict against Kaing Guek Eav, alias "Duch," the former head of the Khmer Rouge prison site S-21, was for many Cambodians a visible milestone, marking that the ECCC was beginning to deliver justice. Against the benchmark of other hybrid tribunals, trial monitors in that case found "the Accused Person's right to a fair trial to have been upheld."<sup>6</sup>

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#### **Outreach Programs and the Khmer Rouge Tribunal**

While the ECCC was established with a mandate to try the senior leaders and those most responsible for crimes committed under the Khmer Rouge regime, initial expectations were high among many survivors and civil society activists on the grounds that it could also make a contribution to the rule of law, healing, and national reconciliation in Cambodia. To achieve these outcomes desired by many local stakeholders, extensive outreach is vital to ensure, at a minimum, that Cambodians know the court and its proceedings. Although the ECCC was established in Phnom Penh, reaching out to survivors and the general population has been a difficult task given that most Cambodians reside in rural areas, often with limited access to information. The complexities and technicalities in legal procedure in internationalized criminal litigation make it all the more difficult for ordinary Cambodians to fully understand the proceedings.

At the ECCC, the Public Affairs Section (PAS) and the Victims Support Section (VSS) are the main sections responsible for reaching out to the general public and victims. No separate unit exclusively dedicated to outreach exists at the Court. The activities of these two sections have mainly been directed toward providing public information about the ECCC and its legal proceedings to the population. The ECCC outreach program has connected with the population mainly through publications and reading materials, forums or seminars around the country, videos, and radio programs. Notably, the court has assisted almost 150,000 individuals to visit the ECCC to date, many of them able to observe the trial hearings. In addition, the VSS has organized specific events for the participating civil parties, including trial attendance and provincial forums in regional areas where survivors reside.

During the ECCC's early years, however, these outreach programs were under-prioritized within the court. The programs lacked resources, and their operations and capacities were therefore limited. Because of this, at least until 2009, Cambodian NGOs were at the forefront of ECCC-related outreach. More than a dozen NGOs have been involved at different stages and through various means in outreach activities, often by modifying their existing programs to engage in ECCC-related outreach. When carrying out such outreach activities, local NGOs enjoy a number of comparative advantages, such as having long-established relations of trust with communities and extensive networks in regional areas.<sup>7</sup>

Despite these efforts of ECCC and local civil society, large parts of the Cambodian population had only limited knowledge of the court more than three years after it had begun operating. An independent, population-based survey conducted by the Human Rights Center at the University of California, Berkeley, in 2008 — just before the beginning of trial hearings in Case 001 — showed that 39 percent of respondents had no knowledge of the ECCC, and 46 percent had only limited knowledge. Among those who had some level of knowledge about the ECCC, 53 percent adequately described it as a hybrid court

comprising national and international staff. However, 82 percent of these respondents were unable to name all five accused awaiting trial at that time.<sup>8</sup>

The same survey showed that, of the respondents interviewed, only 3 percent had heard about the Court through the ECCC (from posters and booklets) or through local NGOs. The survey additionally noted that, among those who had heard about the ECCC, the main media sources of information were radio (80 percent), television (44 percent), and newspapers (11 percent). Particularly during the early years of the ECCC's existence, radio has been an important outreach medium, both for NGOs and the ECCC, and there has generally been more information available on radio than on TV, mainly due to the substantially lower costs of this medium. Thus, less than a third of the entire sample of respondents in the survey had seen TV programs about the ECCC, but almost all of them (98 percent) said they would watch the ECCC, if broadcasted on television.<sup>9</sup> On the eve of the beginning of trial proceedings in the ECCC's first ever case, these statistics highlighted the need for more extensive outreach efforts—and television was to play a critical role in this endeavor.

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### **Expanding Khmer Rouge Trial Television Outreach**

It is in this context that the Asian International Justice Initiative (AIJI)—a collaborative project between the East-West Center, UC Berkeley's War Crimes Studies Center, and the WSD Handa Center for Human Rights and International Justice at Stanford University—together with a local film production company, Khmer Mekong Films (KMF), designed a project that complemented the ECCC's outreach efforts by addressing the vital need to make the trial proceedings more accessible and comprehensible to the public. This project was able to build upon previous collaborations by creating a series of pre-trial outreach films called *Time for Justice*. In the 18 months leading up to the first trial at the ECCC, this initiative produced five pre-trial *Time for Justice* films, which described to a general audience the reasons

for the establishment of the tribunal and explained its structure and mission. These films were broadcast on television, and also used by Cambodian NGOs in their respective outreach activities. The Center for Social Development (CSD), for instance, screened these films in dozens of provincial outreach forums. The feedback received on *Time for Justice* confirmed the importance of multimedia outreach formats, in particular for reaching out to the many illiterate survivors living in Cambodia's rural areas.

While the Khmer Rouge trials are historically significant, the proceedings themselves were always expected to be very lengthy and, in many respects, arduous. Important testimony is punctuated by procedural arguments, and the ailing health of several of the accused shortens some of the ECCC's sitting hours and lengthens the trial as a whole. The Cambodian public would likely find watching the proceedings for more than a few hours difficult. Further, most Cambodians are unlikely to follow daily hour-long live broadcasts, and even if they did, most of what they would see would likely appear obscure without commentary. The main idea of the new TV program was therefore to create a weekly half-hour film series, which would explain the cases to a layperson audience by focusing public attention on key issues relating to accountability and explaining fair trial rights. AIJI and KMF decided to use a talk show format, with well-known journalists as moderators

*Producers used a talk show format, showing highlights from the proceedings and commentary by legal experts*



*Kaing Guek Eav, alias "Duch," faces the court on the popular television series Duch on Trial, a weekly program in Cambodia broadcasting trial summaries and commentary. Image courtesy of Asian International Justice Initiative (AIJI).*

showing viewers highlights from the proceedings, and providing commentary by Cambodian legal experts on issues that emerge during the trial. Importantly, the project's organizers secured the support of the Cambodian Television Network (CTN)—one of Cambodia's largest television networks—which agreed to air the show as a public service.<sup>10</sup>

In 2009, with the start of trial hearings in the ECCC's first case *Prosecutor v Kaing Guek Eav alias "Duch,"* the project organizers began with weekly broadcasts of trial summaries. Known as *Duch on Trial*, the series soon became very popular in Cambodia. *Time* magazine called the show a "sleeper hit" and estimated that it had an audience viewership of up to 3 million people per week, or 20 percent of Cambodia's population.<sup>11</sup> Journalist Brendan Brady wrote, "Perhaps no development has been more effective in disseminating the often-baffling work of the tribunal than [this] new weekly television program." In the same article, Matthew Robinson, the show's producer said, "The challenge is how to cram into less than half an hour the highlights of a week's worth of the trial that a group of not legally-sophisticated people can relate to."<sup>12</sup> In this endeavor, the program was able to rely on the legal input of AIJI's trial monitoring team, which provided an important element of quality control. These Cambodian and regional trial monitors observed the hearings on a daily basis and selected courtroom video footage for inclusion into the show. With funding provided by the British Foreign and Commonwealth Office, the project organizers were able to provide full coverage of the entire trial hearings in the ECCC's first case, complemented by additional shows covering the trial and appeals judgments.

Considering the success of this initial outreach TV program, the project organizers decided to continue broadcasting weekly trial summaries, this time in Case 002, against the remaining Khmer Rouge leaders. This Case 002 program began broadcasting in 2011 under the new name *Facing Justice*. Covering 212 days of evidence hearings proved considerably more challenging than the 72 days during Case 001, both in terms of logistics as well as funding. A grant by the US Department of State allowed AIJI and



Neth Pheaktra (*Phnom Penh Post*) and Ung Chan Sophea (*Cambodge Soir*) serving as the in-studio presenters for *Duch on Trial*. Image courtesy of Asian International Justice Initiative (AIJI).

KMF to produce and broadcast an initial 27 weekly TV shows on CTN, complemented by a concurrent radio call-in show. At the same time, live broadcasting of the lengthy trial proceedings by national TV stations had progressively declined and eventually almost ceased, while *Facing Justice* continued to enjoy an average probable audience of 1 to 1.5 million viewers per week, according to estimates by CTN—while occupying a somewhat less favorable broadcast time slot than *Duch on Trial*.

By the end of 2012, however, the program ran into the same donor fatigue and funding difficulties as the ECCC itself, leading to a temporary suspension of the *Facing Justice* TV program. Keeping up interest among the Cambodian public and the ECCC's supporters over a long period of trial hearings proved to be a challenge. But without regular, outreach-friendly TV broadcasting, the events unfolding at the trials would remain largely unknown to large parts of the Cambodian population. After more than half a year of interruption, *Facing Justice* was able to resume—thanks to support provided by USAID—to cover the closing statements in the first trial segment of Case 002.

### Reach and Impact: Broadcasting 'Duch on Trial'

Although it is too early to assess the overall impact of this TV broadcasting, which is ongoing, some preliminary observations can be made with regards

**Time magazine called *Duch on Trial* a 'sleeper hit' and estimated its audience as up to 3 million people per week**

to *Duch on Trial* and its impact on the Cambodian populations and survivors. A follow-on population-based survey was conducted by UC Berkeley's Human Rights Center in 2010, a few months after the pronouncement of the verdict in that case. Overall, awareness of the Court had increased among the adult population, with 25 percent of all respondents saying that they had no knowledge of the ECCC (compared to 39 percent in 2008). In addition, 67 percent could adequately describe the Court as a hybrid court (compared to 53 percent in 2008), and 11 percent could correctly name the individuals who had been arrested (compared to 3 percent in 2008).<sup>13</sup>

It can only be inferred from the survey data that much of this relative accomplishment is due to an expanded TV coverage, as well as the combined activities of Cambodian NGOs and the ECCC's outreach program. Of those who had heard about the ECCC, 72 percent said the main source of information was television (compared to 44 percent in 2008), confirming the growing prominence of television. In addition, 47 percent of the respondents said that they had seen TV programs about the ECCC, and among those, 46 percent (meaning about one-quarter of all respondents or 23 percent) reported having specifically seen *Duch on Trial*. Among those 23 percent who watched the program, 82 percent had seen it more than once, and among those, 6 percent had watched it on a weekly basis (see Table 1).

A more selective survey, interviewing 414 civil parties, was conducted in 2011 by a Cambodian

NGO, the Cambodian Human Rights and Development Association (ADHOC). Overall, the results of this survey generally supported the findings of the earlier population-based survey. When asked if they had seen a TV program about the ECCC, 60 percent of the civil party respondents answered positively. Among those people, 42 percent stated that the TV program *Duch on Trial* was the most frequently watched. This number was slightly higher than that for news broadcasts (39 percent) and live broadcast of trial proceedings (38 percent).<sup>14</sup> The data suggests that outreach-friendly TV programs summarizing complex trial hearings in simple language are more attractive and possibly more informative for both the general public and survivor populations than news or live broadcasts.

Although these survey findings cannot provide a reliable estimate of the full impact of the outreach TV programs *Duch on Trial* and *Facing Justice*, it is possible to make some general inferences from this data. First, broadcast media now plays an important role in informing the general public and survivor populations about the justice process. This is also true for a developing country such as Cambodia, where the global progress in media communication has considerably reshaped the media and information environment. Second, the case study presented in this paper also highlights the importance and reach of television, even in rural areas of Cambodia. Access to television has improved further since the beginning of the tribunal's trial proceedings—it is currently the

***Data suggests TV programs summarizing trial hearings in simple language are more attractive than news or live broadcasts***

**Table 1. 'Duch on Trial' TV Program**

		<i>Did not live under KR</i>	<i>Lived under KR</i>	<i>Total</i>
<b><i>Have you seen "Duch on Trial" one half hour that is shown weekly?</i></b>		<b>19%</b>	<b>24%</b>	<b>23%</b>
<b><i>If yes, how often did you watch the program?</i></b>	<i>Once</i>	16%	19%	18%
	<i>Two to six times</i>	73%	63%	65%
	<i>More than six times</i>	10%	11%	11%
	<i>Every week</i>	1%	7%	6%

Source: Human Rights Center, *After the First Trial*, 2011 (reprinted with permission from the authors).

### ASIAN INTERNATIONAL JUSTICE INITIATIVE (AIJI)

The Asian International Justice Initiative (AIJI) engages in projects and partnerships related to international justice, judicial reform, the rule of law, and human rights. Established in 2003, the Initiative is a partnership between the East-West Center, the War Crimes Studies Center at the University of California, Berkeley, and the WSD Handa Center for Human Rights and International Justice at Stanford University. Professor David Cohen, a leading expert in international humanitarian and criminal law, professor of law at the University of Hawai'i, and senior fellow at the East-West Center, directs AIJI.

Activities focus on members of the Association of Southeast Asian Nations (ASEAN) and other countries in the Asia Pacific region. At the regional level, AIJI works closely with the Human Rights Resource Centre for ASEAN, a network of 10 partner universities centered at the University of Indonesia, with the aim of supporting the evolution of the ASEAN regional human rights system. In addition, AIJI is currently involved in national programs in Indonesia, Cambodia, Timor Leste, Singapore, Bangladesh, the Philippines, and Vietnam, including judicial and human rights capacity building, trial monitoring, applied research, civic outreach, as well as archival and resource development. In designing and implementing these wide-ranging activities, AIJI collaborates closely with local nongovernmental and governmental partners throughout the region.

For more information, please visit  
[EastWestCenter.org/AIJI](http://EastWestCenter.org/AIJI)



*The Voices of Reconciliation project involves over 90 community dialogues a year between village residents and legal experts. This meeting (left), held in Banteay Meanchey in March 2014, brought together 54 community participants. Project participants in Phnom Srok (right) fill out a survey after a successful community dialogue meeting. Over 2,300 rural Cambodians attended meetings in March and April 2014.*



*Cambodian civil society groups participate in AIJI's capacity-building session on mediation and dialogue facilitation in January 2014.*



*Community members, civil parties, and victims gather in February 2012 to discuss the Case 001 Appeal Judgment.*



LEFT: Thol Ngorntay, Facing Justice presenter, outside of the ECCC interviewing people about why they had come to the court and how the trial was important to them. RIGHT: An attendee's response. Images courtesy of Asian International Justice Initiative (AIJI).

*Rapid developments in information technology and media communication have reshaped the nature of outreach*

primary media format for most Cambodians, with an estimated 80 percent of the population now having access—directly or indirectly—to a television. It can be expected that the advance of multimedia mobile phone technology will further accelerate in future the spread of audio-visual communication. Finally, there is sufficient evidence that more outreach-friendly content and media strategies—such as summaries of often-complex trial proceedings—designed in accordance with local needs and combined with additional explanations and analysis, can not only enhance awareness-raising and build knowledge of these justice processes, but also manage expectations among local populations.

#### **Making Justice Visible**

Renowned painter and former S-21 detainee, Van Nath, testified at the ECCC in Case 001, “What I seek is tangible, it’s justice: I hope justice becomes tangible, one that everyone can see.” In order for this hope to be realized, proceedings before the ECCC need to be accessible, understandable and engaging in a manner that provides Cambodians the space to develop their own views and opinions, and ultimately some sense of ownership of the justice process. In addition, the proceedings present an opportunity to publicize a Cambodian trial that can assist to promote greater understanding of the rule of law

and fair trial standards. Using a relatively simple but comprehensive media strategy that makes use of film and radio and in addition makes videos accessible on other digital media has proven to be an efficient way to provide Cambodians this opportunity, as well as to ensure that the proceedings before the tribunal are documented for generations to come.

These observations from Cambodia demonstrate that rapid developments in information technology and media communication and its spread around the world, including developing countries, have reshaped the nature of outreach. Media nowadays plays a prominent role in shaping the information environment in transitional justice and peacebuilding processes more generally.<sup>15</sup> Outreach programs at tribunals have been slow to adapt to these changing environments and exploit the new opportunities that have emerged with it. Nevertheless, these programs have experienced a slow but steady shift away from print materials to multimedia formats. Radio and television have become important media for disseminating information and messages about justice processes. In addition, the growth and spread of the Internet now allows for more diversified online platforms and eventually the use of social media. For instance, the ICC has a YouTube channel with audiovisual summaries, and most tribunals now broadcast live streams of the trials on their websites. Although these services may not be equally accessible

***Innovative outreach programs can, without using a large amount of resources, help maximize the legacy of tribunals***

in all post-conflict situations, the use of information technology has expanded rapidly among Cambodia's youth who, demographically, constitute a large part of the country's population.

More significant than just using these media tools is designing thoughtful media and communication strategies and developing content geared toward the needs of different target groups. It is important to keep in mind that media can have both a positive and negative impact on fragile post-conflict environments. Media communication strategies that deal with broader justice processes have to consider these dynamics. Therefore, they need to engage with media in a careful manner, while acknowledging the potential for more inclusive debates, empowering local populations, and building local capacities. The ICC, with limited or no in-country presences or offices, will need to creatively design comprehensive (and cost-effective) media strategies geared toward each situation or target group, including

using a range of media, such as radio, TV, Internet, and mobile phone networks, while building effective partnerships with local stations and providers. Similar challenges exist for the Extraordinary African Chambers in Senegal, which deals with crimes committed in Chad, involving victims and diaspora groups spread around different countries.

Combining the use of media with designing adequate content and strategies that consider the information needs, competencies, and culture of local populations offers new opportunities for promoting local and national debates about justice and truth-seeking. In doing so, innovative outreach programs can, without using a large amount of resources, make a significant contribution to maximizing the legacy of international and hybrid tribunals. The example of this project producing outreach-friendly television summaries about the Khmer Rouge trials in Cambodia has provided observations in support of this proposition.

## Notes

<sup>1</sup> Clara Ramirez-Barat, *Making an Impact. Guidelines on Designing and Implementing Outreach Programs for Transitional Justice* (New York: International Center for Transitional Justice, 2011), 5–8.

<sup>2</sup> Janine N. Clark, "International War Crimes Tribunals and the Challenge of Outreach," *International Criminal Law Review* 9 (2009): 99–116; Victor Peskin, "Courting Rwanda. The Promise and Pitfalls of the ICTR Outreach Programme," *Journal of International Criminal Justice* 3 (2005): 950–61; Sara Darehshori, "Lessons for Outreach from the Ad Hoc Tribunals, the Special Court for Sierra Leone, and the International Criminal Court," *New England Journal of International and Comparative Law* 14 (2008): 299–307.

<sup>3</sup> Norman Pentelovitch, "Seeing Justice Done: The Importance of Prioritizing Outreach Efforts at International Criminal Tribunals," *Georgetown Journal of International Law* 39 (2008): 445–94.

<sup>4</sup> Office of the High Commissioner for Human Rights, *Rule-Of-Law Tools for Post-Conflict States: Maximizing the Legacy of Hybrid Courts* (New York/Geneva: United Nations, 2008), 18.

<sup>5</sup> See for instance, Christoph Sperfeldt, "Notes from the Margins of Internationalized Criminal Justice. Lessons from the Extraordinary Chambers in the Courts of Cambodia," *Journal of International Criminal Justice* 11 (2013): 1111–37.

<sup>6</sup> Asian International Justice Initiative, *Lessons Learned from the 'Duch': A Comprehensive Review of the First Case before the Extraordinary Chambers in the Courts of Cambodia*, Report produced by the Asian International Justice Initiative's KRT Trial Monitoring Group, 6 December 2009.

<sup>7</sup> Christoph Sperfeldt, "Cambodian Civil Society and the Khmer Rouge Tribunal," *International Journal of Transitional Justice* 6 (2012): 149–60.

<sup>8</sup> Phuong Pham, Patrick Vinck, Mychelle Balthazard, Hean Sokhom, and Eric Stover, *So We Will Never Forget: A Population-Based Survey on Attitudes about Social Reconstruction and the Extraordinary Chambers in the Courts of Cambodia*, (Berkeley, CA: Human Rights Center, UC Berkeley, January 2009), 36–37.

<sup>9</sup> Pham et al, 2009, *So We Will Never Forget*, 37–38.

<sup>10</sup> For more information about the project and online versions of the films, visit AIJI's Khmer Rouge Tribunal Monitor Blog at <http://krtmonitor.org> (accessed 26 January 2014).

<sup>11</sup> Christopher Shay, "Cambodia's Trial of the Century, Televised," *Time*, 11 September 2009. See also Robert Carmichael, "Khmer Rouge Trial a Cambodian TV Hit," *ABC News*, 25 August 2009.

<sup>12</sup> Brendon Brady, "Khmer Rouge Trial TV Show Draws Cambodians," *GlobalPost*, 20 November 2009.

<sup>13</sup> Phuong Pham, Patrick Vinck, Mychelle Balthazard, and Hean Sokhom, *After the First Trial: A Population-Based Survey on Knowledge and Perception of Justice and the Extraordinary Chambers in the Courts of Cambodia* (Berkeley, CA: Human Rights Center, UC Berkeley, June 2011), 21.

<sup>14</sup> Kirchenbauer, Nadine, Mychelle Balthazard, Latt Ky, Patrick Vinck, and Phuong Pham, *Victim Participation before the Extraordinary Chambers in the Courts of Cambodia. Baseline Study of the Cambodian Human Rights and Development Association's Civil Party Scheme for Case 002* (Phnom Penh: ADHOC, January 2013), 34.

<sup>15</sup> Monroe Price and Nicole Stremmlau, "Media and Transitional Justice: Toward a Systematic Approach," *International Journal of Communication* 6 (2012): 1077–99.

### East-West Center

The East-West Center promotes better relations and understanding among the people and nations of the United States, Asia, and the Pacific through cooperative study, research, and dialogue. Established by the US Congress in 1960, the Center serves as a resource for information and analysis on critical issues of common concern, bringing people together to exchange views, build expertise, and develop policy options.

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