

The Role of Investigative Journalism in Transitional Justice

A Practical Guide

Developed Through Training on the Role of Investigative Journalism in Transitional Justice for Journalists in Post-Conflict Contexts

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Introduction: From Training to Practice

This guide is the result of a [Balkan Investigative Reporting Network](#) (BIRN) training program on the role of investigative journalism in transitional justice, bringing together journalists, civil society actors and students held in January 2026 in Sarajevo. Designed as a space for learning, exchange and critical reflection, the training, *The Role of Investigative Journalism in Transitional Justice*, addressed the practical and ethical challenges of reporting on human rights violations and post-conflict justice processes. A team of BIRN journalists conducted the training for various actors across the Western Balkan region with an aim of introducing them to the importance of journalism in transitional justice processes, but also to equip them with knowledge of what transitional justice is and what mechanisms it uses to achieve accountability and peace.

What follows is not a theoretical manual but a synthesis of those discussions, grounded in professional experience, regional context, and the shared recognition that journalism plays a vital role in shaping how societies deal with the past.

In post-conflict environments, reporting is never neutral terrain. It unfolds in spaces marked by trauma, contested narratives and ongoing political tensions. This guide aims to support those navigating that complexity.

Reporting in the Aftermath of Violence

To report in a post-conflict society is to work in an environment where the past is still much present in the day-to-day lives of affected communities. Survivors continue to seek recognition and justice, families search for the missing, and legal processes unfold alongside political efforts to reinterpret or deny established facts. Time does not necessarily produce distance; in many cases, it deepens divisions and hardens narratives.

In this context, journalism extends beyond the conventional role of informing the public. It becomes embedded in broader processes of truth-seeking, accountability and social recognition. What is reported, how it is reported, and what is left unreported all contribute to shaping collective understanding of past violence.

Investigative journalists in particular occupy a critical position. Their work involves uncovering facts that may be hidden in court records, archives, or personal testimonies; scrutinizing institutions responsible for delivering justice; and documenting patterns of abuse that might otherwise remain fragmented or obscured. This function is especially significant in environments where official narratives are incomplete, contested or politically influenced.

At the same time, this role carries responsibility. Reporting on past atrocities requires precision, ethical awareness and a clear understanding of the potential impact of published information. Errors, omissions or uncritical amplification of unverified claims can reinforce harmful narratives, or undermine fragile trust in justice processes.

For this reason, reporting in post-conflict settings demands more than technical skill. It requires an awareness of context, a commitment to evidence and a careful balancing of public interest with the rights and dignity of those most affected by violence.

Understanding Transitional Justice: The Framework Behind the Story

Transitional justice refers to the different ways societies respond to mass human rights violations after conflict or authoritarian rule.¹ It is not a single process but a combination of efforts aimed at addressing past abuses while shaping a more just future.

Traditionally, it rests on four interconnected pillars: criminal justice, truth-seeking, reparations and guarantees of non-recurrence.² Each of these offers a different lens for reporting.

Courts reveal how responsibility is assigned, truth-seeking initiatives attempt to construct a shared record of events, reparations highlight how societies recognize and compensate for harm and institutional reforms show whether lessons from the past are being translated into structural change. For journalists, these are not abstract concepts, they are entry points into stories that connect law, politics and lived experience.

Criminal justice processes (domestic or international) focus on prosecuting those responsible for crimes. For journalists, trials are not only about verdicts; they are about documenting how justice is pursued, where it succeeds, and where it falls short. Reporting in this area requires careful attention to legal detail but also an ability to translate complex proceedings into accessible and accurate narratives for the public.

Truth-seeking initiatives, such as commissions or documentation projects, aim to establish a broader and more inclusive record of what happened. Unlike courts, which are limited by legal standards of proof and specific indictments, these mechanisms often attempt to capture patterns of violence, systemic abuses and experiences that may never enter a courtroom. At the same time, they raise critical questions about whose voices are included, whose are excluded, and how “truth” is constructed and contested.

Reparations focus on acknowledging harm and providing redress to victims, whether through financial compensation, symbolic measures, or social support. Reporting on reparations requires moving beyond policy announcements to examine implementation: who qualifies, who is left out, and whether measures meaningfully address the needs of survivors. These stories often reveal the gap between formal recognition and lived reality,

¹ [About transitional justice and human rights | OHCHR](#)

² [TRANSITIONAL JUSTICE IN PEACE PROCESSES](#)

making visible the long-term consequences of violence on individuals and communities.

Guarantees of non-recurrence involve institutional reforms designed to prevent future abuses, such as changes in the judiciary, security sector, education systems or public administration. These processes are often less visible and slower to unfold, but are critical to the long-term success of transitional justice. For journalists, they offer an opportunity to connect past violations with present-day governance, asking whether the structures that enabled abuse have truly changed, or continue to persist in different forms.

These pillars illustrate that transitional justice is not only about addressing the past but about shaping the conditions of the present and the future. For journalists these pillars are entry points into stories that connect law, politics, and lived experience. Understanding how these elements interact allows for more nuanced, responsible and impactful reporting that situates individual stories within broader processes of accountability, recognition and change.

Domestic and International Justice

One of the first complexities journalists encounter in post-conflict reporting is the coexistence of domestic and international justice mechanisms. Rather than forming a seamless system, these layers of accountability often operate in parallel, with different mandates, capacities and relationships to affected communities. Understanding this dynamic is essential for meaningful reporting.

Domestic courts with specialized war crimes departments operate in closer proximity to victims and witnesses. Their proceedings are meant to be more accessible, conducted in local languages and embedded within the political and social realities of the societies in which crimes occurred. For journalists, this proximity creates opportunities for sustained coverage and deeper engagement with affected communities. Trials can be followed regularly, survivors can attend hearings, and verdicts often resonate directly within local public discourse.

At the same time, domestic systems face structural and political constraints. The work of [Balkan Investigative Reporting Network](#) through its media outlet [Balkan Insight](#), has repeatedly highlighted challenges such as case backlogs, inconsistent prosecutorial strategies and political interference. In Bosnia and Herzegovina, for example, journalists have documented delays in complex

war crimes cases and the fragmentation of jurisdiction between state and entity-level courts. In Serbia, reporting has pointed to a limited number of indictments for high-level perpetrators, raising questions about political will and selective accountability.

International mechanisms, most notably the [International Criminal Tribunal for the former Yugoslavia](#), ICTY, were established to address precisely these limitations. The ICTY played a foundational role in prosecuting senior political and military leaders, developing jurisprudence on genocide, crimes against humanity and command responsibility, and establishing an extensive evidentiary record. For journalists, the tribunal provided access to a vast archive of testimonies, documents and judicial findings that continue to inform reporting long after its closure.

However, international justice also introduced distance, both geographical and symbolic. Proceedings in The Hague often felt remote to communities in the Balkans. Complex legal language, lengthy trials and physical separation from affected populations contributed to perceptions that justice was happening “elsewhere”. As [Balkan Insight's](#) reporting has shown, this distance has sometimes limited the local impact of verdicts, particularly in environments where political elites actively contested or rejected the tribunal's findings.

The interaction between domestic and international justice has also produced important storylines for investigative journalists. One key example is the transfer of cases and evidence from the ICTY to domestic courts, a process that raised questions about capacity, consistency and the long-term sustainability of accountability efforts. Journalists have tracked how ICTY-established facts are used or ignored in domestic proceedings, and whether national institutions uphold or diverge from international standards.

Another recurring issue is the gap between legal outcomes and public perception. While international courts may establish facts beyond reasonable doubt, domestic political narratives can continue to deny or reinterpret those findings. In such cases, journalists are confronted with the challenge of reporting not only on judicial decisions, but also on how those decisions are received, contested, or instrumentalized within national contexts.

The task of journalism, therefore, is not simply to report what happens in either system but to critically examine how they function in relation to one another. This includes identifying where accountability is advanced, where it is obstructed, and how different levels of justice impact victims, communities, and broader societal narratives.

Monitoring Justice in Practice

Court reporting in transitional justice contexts demands patience, consistency and precision. War-crimes trials are often long, procedurally complex and legally dense. Hearings can stretch over years, evidence is technical, and the language of indictments and judgments is not easily accessible to the general public. Yet, despite these challenges, courtrooms remain one of the most concrete and consequential sites where accountability is pursued.

For journalists, sustained trial monitoring transforms reporting from episodic coverage into a form of structured observation. Following a case from indictment to final verdict allows journalists to move beyond headlines and trace patterns over time: how prosecutors build cases, how defense strategies evolve, how evidence is admitted or challenged, and how judges interpret responsibility and intent. This longitudinal approach is particularly important in the context of the former Yugoslavia, where many cases involve complex chains of command, multiple crime scenes and large bodies of testimonial and documentary evidence.

In Bosnia and Herzegovina, for example, journalists have followed cases before the [Court of Bosnia and Herzegovina](#) involving crimes committed across different municipalities and time periods. Reporting on such trials has shown how prosecutorial strategies often rely on linking individual acts to broader campaigns of violence, while also revealing recurring challenges, such as difficulties in securing witness testimony or inconsistencies in sentencing.

Across the region, BIRN has played a central role in institutionalizing trial monitoring as a journalistic practice. BIRN journalists, through the local offices, systematically attend hearings, review court documents and produce detailed, accessible reports on ongoing cases in Bosnia and Herzegovina, Serbia, Croatia and Kosovo. This sustained presence has created a public record of proceedings that might otherwise remain confined to court archives.

BIRN's monitoring has also highlighted broader regional patterns. In Serbia, reporting has pointed to the limited number of indictments against high-ranking officials and slow pace of proceedings in the War Crimes Chamber. In Croatia, journalists have documented trials in absentia and the challenges of prosecuting crimes committed outside national jurisdiction. In Kosovo, coverage has extended to proceedings before the [Kosovo Specialist](#)

[Chambers](#), illustrating the continued relevance of hybrid and internationalized justice mechanisms.

Journalists must pay close attention to delays in proceedings, which can stretch cases over many years and affect both the quality of evidence and the well-being of witnesses. Witness protection remains a critical issue across the region, with instances where intimidation, fear or social pressure influence testimony.

Political interference, direct or indirect, also requires scrutiny. Public statements by political actors, selective support for certain cases or broader narratives that challenge the legitimacy of prosecutions can all shape the environment in which trials unfold. Reporting on these dynamics is essential for understanding not only the legal process but also its broader societal impact.

The question of implementation is often overlooked but crucial, because the verdict does not mark the end of accountability. Journalists should follow whether sentences are enforced, whether convicted individuals serve their time, and how judgments are received by institutions and communities. In some cases, those convicted of war crimes have been publicly celebrated or politically rehabilitated, raising important questions about the relationship between legal accountability and social recognition.

Working with Survivors: Ethics Before Story

Few aspects of reporting in transitional justice contexts carry as much responsibility as interviewing victims and survivors of war crimes. These encounters are not routine journalistic interactions; they take place in environments shaped by trauma, loss, stigma and often decades of unresolved harm. For many survivors, speaking to a journalist is not simply an act of sharing information but a deeply personal decision with potential emotional, social and even legal consequences.

In the countries of the former Yugoslavia, this is particularly evident among survivors of detention camps, conflict-related sexual violence and families of the missing. Many have testified multiple times before courts, yet still feel that their experiences are either misunderstood or instrumentalized. Journalists

entering this space must therefore recognize that they are not the first, and likely not the last, to ask survivors to recount painful experiences. The question is not only what story is being told, but how and at what cost.

Ethical reporting begins with informed consent, but it does not end there. Consent must be understood as an ongoing process rather than a one-time agreement. Survivors should be clearly informed about how their testimony will be used, where it will be published, and what potential risks may arise from public exposure. They must have the ability to set boundaries, decline questions, or withdraw entirely without pressure or consequence.

Survivors should never be pushed to provide graphic details or revisit experiences they are not ready to discuss. Guidelines such as the [Murad Code](#) provide an internationally recognized framework for engaging with survivors of CRSV. Developed in consultation with survivors, practitioners, and experts, the Murad Code sets out ethical standards to ensure that interactions are conducted with respect, safety, and dignity at their core.

It emphasizes principles such as informed consent, confidentiality, do-no-harm approaches and survivor agency over how their experiences are documented and shared. It also addresses the risks of retraumatization, exploitation and misuse of testimonies, issues that are particularly relevant for journalists working in post-conflict environments. For media practitioners, these guidelines offer more than general ethical direction; they provide practical orientation on how to approach interviews, frame narratives, and manage sensitive material responsibly. Integrating such standards into journalistic practice helps ensure that reporting contributes to recognition and accountability, rather than reinforcing harm or stigma.

The pursuit of a compelling narrative cannot override the obligation to minimize harm. Sensationalism used through language, framing, or visual presentation risks reducing complex human experiences to simplified or exploitative accounts. In transitional justice reporting, this not only harms individuals but can also distort public understanding of violence.

Survivors' stories should not be presented in isolation but situated within the broader patterns of violence, legal processes and social consequences that define the conflict. This approach shifts the focus from individual suffering as spectacle to individual experience as part of a larger, documented reality. It also helps avoid reinforcing stereotypes or hierarchies of victimhood that have been particularly pronounced in post-Yugoslav societies.

Journalists must also consider issues of safety and confidentiality. In some cases, revealing a survivor's identity can expose them to stigma, community pressure or retaliation. This is especially relevant in cases of conflict-related sexual violence, where survivors across the region have faced long-term social

exclusion. Decisions around naming, anonymization and visual representation should always prioritize the well-being of the individual over the perceived credibility or impact of the story.

The terms used to describe survivors, perpetrators and acts of violence carry weight. Careless or imprecise wording can perpetuate harm, reinforce denial, or unintentionally assign blame. Responsible reporting requires careful attention to terminology, ensuring that it aligns with established facts, legal findings, and the dignity of those involved.

At its core, ethical engagement with survivors requires a shift in perspective: from seeing interviews as opportunities to extract testimony, to understanding them as encounters that demand accountability, sensitivity and respect. When approached responsibly, reporting can contribute to recognition, validation and a broader public understanding of harm. When handled poorly, it can deepen wounds and undermine trust, not only in media, but in justice processes more broadly.

Justice Outside Legal Processes

While criminal prosecutions are often the most visible dimension of transitional justice, some of the most meaningful and contested processes unfold outside the courtroom. These include reparations programmes, truth-seeking initiatives, and institutional reforms, all of which attempt to address the broader social, political, and human consequences of mass violence.

For journalists, reporting on these mechanisms requires a shift in approach. Unlike trials, which produce clear procedural milestones (indictments, hearings and verdicts) extrajudicial processes are often slower, less structured, and more difficult to quantify. Their impact is not always immediately visible, and their success cannot be measured solely through formal outcomes. This makes them both harder to cover and, at the same time, essential for investigative scrutiny.

Reparations programs aim to acknowledge harm and provide redress to victims, whether through financial compensation, access to healthcare, psychosocial support or symbolic recognition. In the countries of the former Yugoslavia, these programs have often been fragmented and uneven. In Bosnia and Herzegovina, for example, civilian victims of war have faced

significant disparities in access to benefits depending on their place of residence or legal status. Reporting by BIRN has highlighted how legal recognition does not always translate into meaningful support, revealing gaps between legislative frameworks and lived realities.

For journalists, the key question is not only whether reparations exist but how they function in practice. Who qualifies, who is excluded, and what bureaucratic or political barriers shape access? These stories often require long-term engagement as well as collaboration with civil society organizations and survivor groups.

Truth-seeking initiatives, including commissions and documentation projects attempt to construct a broader record of past events. Unlike courts, which are limited to specific cases and legal standards of proof, these processes aim to capture patterns of violence, institutional responsibility and the experiences of victims whose cases may never be prosecuted.

In the Western Balkans, efforts to establish regional truth mechanisms, such as the [RECOM initiative](#), have demonstrated both the potential and the limitations of these approaches. While such initiatives have generated extensive documentation and regional dialogue, they have also faced political resistance and struggled to secure formal institutional backing.

Institutional reforms, often referred to as guarantees of non-recurrence, focus on transforming the structures that enabled past abuses. This may include reforms in the judiciary, police, military, education systems or public administration. These processes are typically long-term and incremental, making them less visible in daily news cycles but crucial for sustainable peace.

Investigative reporting in this area involves connecting past violations to present-day governance. For example, journalists may examine whether individuals implicated in wartime abuses continue to hold public office, or whether institutions have meaningfully addressed patterns of discrimination and abuse. In the former Yugoslavia, such reporting has frequently revealed continuity rather than rupture, highlighting how unresolved pasts continue to shape current political and institutional landscapes.

Across all these mechanisms, one common challenge is visibility. Extrajudicial processes often lack the public attention that accompanies high-profile trials, making them more susceptible to neglect, underfunding or political manipulation. This is precisely where journalism becomes indispensable. By investigating implementation, tracking long-term outcomes and amplifying affected voices, journalists help ensure that these processes remain part of the public conversation.

Fact-Checking and Countering Denial

Disinformation and war-crimes denial remain persistent and evolving challenges in post-conflict societies. They do not simply distort the past but actively shape the present, by influencing public perception, political discourse and the willingness of institutions to pursue accountability. In the countries of the former Yugoslavia, denial often takes the form of minimizing crimes, disputing established facts, or reframing perpetrators as victims. These narratives are not marginal; they are frequently reinforced through political statements, media platforms and public commemorations.

For journalists, this environment fundamentally reshapes the task of reporting. Verification is no longer just a professional standard, it becomes a central tool in safeguarding the integrity of public knowledge. Reporting on transitional justice requires a rigorous approach to fact-checking, grounded in multiple and reliable sources. This includes cross-referencing testimonies, consulting court records and relying on established findings from institutions such as the ICTY and domestic courts.

The extensive evidentiary record produced through war-crimes trials, including judgments, witness testimonies and forensic documentation, provides journalists with a critical foundation. However, the existence of facts does not guarantee their acceptance. Reporting by BIRN has consistently shown that even legally established facts are contested in public discourse, particularly when they challenge dominant national narratives.

In this context, countering denial is not about engaging in debate on equal terms with falsehoods. It is about maintaining a consistent commitment to evidence and context. Journalists must avoid inadvertently amplifying denial by presenting it as one of two equally valid perspectives. Instead, reporting should clearly distinguish between verified facts and unsubstantiated claims, providing audiences with the tools to understand the difference.

Effective strategies include:

- Grounding reporting in verified documentation, including court judgments and archival material;
- Providing context that explains how facts were established and why they are credible;
- Responding to denial with evidence rather than repetition of misleading claims;

- Paying attention to timing, particularly during anniversaries or politically sensitive moments when denial narratives tend to intensify.

Careful phrasing can prevent false equivalence and reinforce clarity. For example, stating that a crime was “legally established” or “confirmed by court judgment” situates reporting within an evidence-based framework, reducing space for misinterpretation.

Conclusion

This guide reflects the collective insights of a training process, but its purpose lies beyond the training room. It is intended as a practical companion for journalists, civil society actors and students who continue to engage with transitional justice processes in their work.

Reporting in post-conflict contexts requires more than technical skill; it demands persistence, ethical awareness and a clear commitment to evidence. Journalists operate in environments where narratives are contested, institutions are under pressure, and the consequences of reporting can extend far beyond publication.

What emerges from this guide is a recognition that journalism is not external to transitional justice, it is part of it. Through monitoring trials, documenting survivor experiences, investigating institutional responses and countering denial, media practitioners contribute directly to how societies understand and confront the past.

The transition from learning to practice is, therefore, also a transition to responsibility. Each report, interview and investigation becomes part of a broader public record, one that shapes what is acknowledged, remembered and acted on.