

Seminar FS 2024

Transitional Justice

Subject: Law / International Criminal Law / Criminology

Type of Examination: Seminar Paper

Language: English

Lecturer: Dr. Filip Vojta

ECTS: 5

Seminar Description & Learning Outcome:

Restoring peace, security and the rule of law in societies that have suffered massive human rights violations under dictatorship or during armed conflict is a complex process that rarely, if ever, benefits from a single, one-size-fits-all approach. In its landmark resolution of 2004 (S/2004/616), the United Nations Security Council stressed the need to address the legacy of mass violations through a “full range of processes and mechanisms” aimed at ensuring accountability for those responsible, providing justice for victims and achieving reconciliation. The implementation of these legal (or legally regulated) “transitional justice” mechanisms – including prosecutions (international, domestic or hybrid), truth commissions, vetting, reparations, “disarmament, demobilization and reintegration” initiatives (DDR) and memorialization – has subsequently received sustained support at the international, regional and national levels, and has been seen as essential for an effective societal transition from support for past atrocities to support for a human rights-based ethos.

The aim of this seminar is to introduce students to the origins, goals and conceptual framework of transitional justice. In their seminar papers and presentations, they will analyse the functioning of different transitional justice mechanisms through various historical and contemporary case studies, and critically reflect on their suitability for achieving the goals of transitional justice. Students will develop a nuanced understanding of each transitional justice mechanism and the various legal, ethical, political and social challenges faced in their application. They will come away from the seminar with a strong understanding of transitional justice tools and mechanisms, key case studies, and key debates and critiques in the field. Ultimately, the seminar will enhance students’ understanding of the role of law in peace-building.

Seminar Structure & Didactic Methods:

The seminar will take the form of a block course and will be conducted in person. Seminar paper topics will be assigned to students at the introductory meeting. Under the supervision of the lecturer, students will write a paper (max. 15 pages) on the assigned topic. The quality of the written paper will determine the grade received in the seminar. Students will also be required to

give a short presentation (max. 15 minutes) on the topic during the course of the seminar, followed by a discussion session. The presentations will serve as a basis for “peer review” feedback on the progress of their papers and will not be graded. Students are encouraged, however, to take the useful comments and suggestions made during the discussion of the presentations into account in the completion of their papers.

It is planned that a person working in the field of transitional justice will give a guest lecture to the students during the seminar.

Target Audience & Admission Requirements:

Admission to the seminar is open to law students at the Master’s level. A maximum of **nine students** will be admitted to the seminar. The seminar will be held in English and is also open to international students. Good English skills are required to participate in the seminar.

Relevant Dates:

Introductory meeting: February 21, 2024, UniS (*Exact time and location TBA at the beginning of the semester*)

Other relevant dates and times will be announced at the latest at the introductory meeting.

Registration:

Applications with the name of the seminar, confirmation of participation, student’s name, e-mail, matriculation number, field of study and semester number within the Master’s programme should be sent from **January 22, 2024, 10:00 a.m.** to: filip.vojta@unibe.ch (letter of motivation or similar not required). Places in the seminar will be allocated on a first-come, first-served basis.

Contact Person:

For questions and further information, please contact:

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