

Impunity Watch (IW), the Dutch Ministry of Foreign Affairs (MFA),
and International Development Law Organization (IDLO)

Expert Meeting ‘Making Transitional Justice Work’

26-27 November 2015, The Hague, The Netherlands

CONCEPT NOTE

Over the last two decades, transitional justice (TJ) has developed into a major international policy field with significant achievements, and an important component of global human rights work. However, even if transitional justice has consolidated and gained recognition as a field, the effectiveness and legitimacy of transitional justice policies and tools is increasingly under question.

Transitional justice as a field is facing a variety of challenges. In different contexts, ruling elites sometimes exert a lot of control over the process, or do not engage with it. Victims are often disempowered and lack capacity to voice their concerns or influence the outcomes of the TJ process in a meaningful way. As a consequence their expectations are rarely met. The international community frequently approaches TJ interventions in a formulaic and technical manner, without addressing an embedded culture of impunity and the root causes of violence. The field’s legitimacy is further corroded by the perception that different standards may apply depending on the countries or parties involved. As with the field of human rights, TJ risks becoming less relevant or increasingly contested. In the recent words of Minister Koenders, “the times are grim. For human rights globally, we are at a historic low point. We need a reset and new activism. ... Supporting human rights should not be checklist diplomacy: not just good intentions without any achievements.”¹ The same applies to transitional justice.

The government of the Netherlands considers that transitional justice remains an important topic for the future in many conflict and post-conflict societies. Through this initiative, we propose to examine challenges that hinder the transformative impact of TJ interventions, and seek to innovate and reinvigorate the field of TJ as well as our own engagement in TJ initiatives. We intend to expand our leadership in promoting justice for victims of the world’s most serious crimes, while seeking a deeper impact of TJ processes for the benefit of local populations.

The expert meeting “Making Transitional Justice Work”, organised by Impunity Watch (IW) and International Development Law Organization (IDLO), in conjunction with the Dutch Ministry of Foreign Affairs (MFA), will convene a highly qualified group of policy makers, practitioners and experts in the field of TJ, to discuss and develop new ideas for effective and reinvigorated TJ policy in accordance with practical challenges. The expert meeting will consist of a discussion of a scoping study providing a concise overview of the field of TJ, including possible directions for the future. The expert meeting will also evaluate a practical guide on TJ support that will be used by Dutch (and other) policy-makers in the field. Building on these documents, the expert meeting is intended to provide practical input and guidance to the MFA on our TJ policy and its implementation.

¹ Address of the Dutch Minister of Foreign Affairs Mr Bert Koenders at the premiere of Burden of Peace, Movies That Matter festival. The Hague, March 21, 2015.