



## What is Transitional Justice?

Transitional justice refers to a range of approaches that societies undertake to reckon with legacies of widespread or systematic human rights abuse as they move from a period of violent conflict or oppression towards peace, democracy, the rule of law, and respect for individual and collective rights.

In making such a transition, societies must confront the painful legacy, or burden, of the past in order to achieve a holistic sense of justice for all citizens, to establish or renew civic trust, to reconcile people and communities, and to prevent future abuses. A variety of approaches to transitional justice are available that can help wounded societies start anew.

These approaches are both judicial and nonjudicial, and they seek to encompass broadly the various dimensions of justice that can heal wounds and contribute to social reconstruction. Transitional justice incorporates a realistic view of the challenges faced by societies emerging from conflict or repression, and an appreciation of their unique cultural and historical contexts, without allowing these realities to serve as excuses for inaction. All stakeholders in the transition process must be consulted and participate in the design and implementation of transitional justice policies.

The approaches to transitional justice are based on a fundamental belief in universal human rights, and rely on international human rights and humanitarian law in demanding that states halt, investigate, punish, repair, and prevent abuses. Transitional justice approaches consistently focus on the rights and needs of victims and their families.

The major approaches to transitional justice include the following:

- Domestic, hybrid, and international prosecutions of perpetrators of human rights abuse
- Determining the full extent and nature of past abuses through truth-telling initiatives, including national and international commissions
- Providing reparations to victims of human rights violations, including compensatory, restitutionary, rehabilitative, and symbolic reparations
- Institutional reform, of which one measure is the vetting of abusive, corrupt, or incompetent officials from the police and security services, the military, and other public institutions including the judiciary. Vetting refers to the process of excluding from public employment those known to have committed human rights abuses or been involved in corrupt practices.
- Promoting reconciliation within divided communities, including working with victims on traditional justice mechanisms and forging social reconstruction
- Constructing memorials and museums to preserve the memory of the past
- Taking into account gendered patterns of abuse to enhance justice for female victims.