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Transitional Justice in Displacements

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The concept of transitional justice emerged in the 1980s, in addressing human rights violations, particularly related to the civil and political rights, post-conflict issues, and political transitions towards democratisation. It is also subjected to expand in various contexts, particularly in the context of massive displacements due to the armed conflicts or other disasters. Transitional Justice is the set of measures that can be implemented to 'redress the legacies' of any human rights violations in the course of armed conflict. The 'redress the legacies' is generally understood as the enhancement of the human rights norms, which were systematically violated in the course of war. Transitional justice is also the implementation of other measures such as criminal prosecutions, reparation, restitution programs, truth telling initiatives, investigation on the reports of past abuses, and the reformation of justice-sensitive security system which transform the military, police, and judiciary responsible for the past violations. The purpose of this holistic approach is to provide recognition for the victims, foster civil trust and promote reconciliation. The expansion and the implementation of the transitional justice are always expected to be addressed adequately by understanding the conceptual and practical interlinks between the work of practitioners and policy makers in the context of displacement. It is the success of such understanding, the UN revised the Framework on Durable Solution for IDPs in December 2009, which currently includes sections regarding the access to transitional justice and other remedies. The purpose of this paper is to analyze the reasons for the displacements in human rights perspective, in the framework of transitional justice, and evaluate the capacity of transitional justice measures in engaging displaced persons' concerns, by identifying the linkage between transitional justice measures and the influence of displacement actors. This paper attempts to further evaluate, how transitional justice can be conceptually fit within the coherent approach of displacement, in a broader perspective.

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