



Transitional Justice

What is Transitional Justice for the United Nations?

Since 2004, the United Nations has defined transitional justice as “the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation.” It has noted that “these may include both judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual prosecutions, reparations, truth-seeking, institutional reform, vetting and dismissals, or a combination thereof.”

Based on States’ human rights obligations, a wider notion of justice has been advanced in the field of transitional justice, in which further elements of redress complement and reinforce processes of criminal accountability. This has crystallized into four interrelated dimensions: truth seeking, criminal justice, reparation and guarantees of non-recurrence. The concept of guarantees of non-recurrence refers not only to institutional reform and vetting, but also to measures in the societal, cultural and individual spheres.

The United Nations stands for a holistic approach to transitional justice, meaning that these four dimensions are part of a comprehensive policy.

[Guidance Note of the Secretary General:
Transitional Justice - A Strategic Tool for People, Prevention and Peace \(October 2023\)](#)

UN Entities

- United Nations Rule of Law Unit: <https://www.un.org/ruleoflaw/>
 - Access to Justice: <https://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/>
- United Nations Peacekeeping – Building Rule of Law & Security Institutions: Justice and Corrections: <https://peacekeeping.un.org/en/justice-and-corrections>
- Office of the UN High Commissioner for Human Rights (OHCHR) - Transitional Justice and Human Rights: <https://www.ohchr.org/en/transitional-justice>
- Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence: <https://www.ohchr.org/en/special-procedures/sr-truth-justice-reparation-and-non-recurrence>
- UN Development Programme (UNDP) – Transitional Justice: <https://www.undp.org/rolhr/justice/transitional-justice>
- Office of the UN High Commissioner for Refugees (UNHCR): <http://www.unhcr.org>
 - Rule of Law and Transitional Justice: <http://www.unhcr.org/rule-law-transitional-justice.html>
- UN Children’s Fund (UNICEF): <http://www.unicef.org>
 - UNICEF Office of Research-Innocenti - Children and Transitional Justice: <https://www.unicef-irc.org/knowledge-pages/Children-and-Transitional-Justice/566/>, <https://www.unicef-irc.org/research/207/>
- UN Women – UN Entity for Gender Equality and the Empowerment of Women: Peace & Security - Rule of Law and Justice: <https://www.unwomen.org/en/what-we-do/peace-and-security/rule-of-law-and-justice>

UN Conferences & Events

- Peacebuilding Commission: Ambassadorial-level meeting on Transitional Justice in Colombia, The Gambia and Timor-Leste (28 April 2023)
 - Transitional justice hinges on 'equal footing', say UN peacebuilders (UN News Centre, 28 April 2023): <https://news.un.org/en/story/2023/04/1136197>
 - Webcast: <https://media.un.org/en/asset/k1p/k1p4ifdj>
- Security Council Open Debate on "Peacebuilding and sustaining peace: transitional justice in conflict and post-conflict situations" (13 February 2020)
 - Transitional justice processes critical to lasting peace, Security Council hears (UN News Centre, 13 February 2020): <https://news.un.org/en/story/2020/02/1057351>
 - Concept Note: <https://undocs.org/en/S/2020/98>
- Security Council Open Debate on "Women, rule of law and transitional justice in conflict-affected situations" (18 October 2013)
 - Concept Note: <http://undocs.org/S/2013/587>
 - Meeting Record: <http://undocs.org/S/PV.7044>
- International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims - 24 March:
<https://www.un.org/en/observances/right-to-truth-day>

Research & Documentation

- Peacekeeping Resource Hub: <https://peacekeepingresourcehub.un.org/en>
- United Nations Rule of Law Document Repository:
<https://www.un.org/ruleoflaw/knowledge-resources/document-repository/>
- Audiovisual Library of International Law: <https://legal.un.org/avl/>
 - Introduction to Transitional Justice / by Mr. Paul van Zyl:
http://legal.un.org/avl/ls/vanZyl_CLP.html
 - Perspectives on Post-conflict Justice / by Mr. M. Cherif Bassiouni:
http://legal.un.org/avl/ls/Bassiouni_CLP.html

Selected UN Documents

- **E/C.19/2023/3** (26 January 2023): International expert group meeting on the theme "Truth, transitional justice and reconciliation processes": Note by the Secretariat:
<https://undocs.org/E/C.19/2023/3>
- **A/HRC/RES/51/23**: Human rights and transitional justice: resolution / adopted by the Human Rights Council on 7 October 2022: <https://undocs.org/A/HRC/RES/51/23>
- **A/77/162** (14 July 2022): Promotion of truth, justice, reparation and guarantees of non-recurrence: note / by the Secretary-General: <https://undocs.org/A/77/162>
Transmits report of the Special Rapporteur, Fabián Salvioli, pursuant to Human Rights Council resolution 45/10. Contains: Sustainable Development Goals and transitional justice: leaving no victim behind. Links transitional justice with the Sustainable Development Goals process through a people-centred and victim-centred approach.
- **A/HRC/50/40/Add.4** (8 June 2022): Implementing the third pillar: lessons from transitional justice guidance by the Working Group: report of the Working Group on the Issue of Human Rights and Transnational Corporations and other Business Enterprises: <https://undocs.org/A/HRC/50/40/Add.4>
- **A/HRC/49/39** (12 January 2022): Human rights and transitional justice: report of the Office of the United Nations High Commissioner for Human Rights: <https://undocs.org/A/HRC/49/39> Submitted pursuant to Human Rights Council resolution 42/17.
- **A/76/180** (19 July 2021): Promotion of truth, justice, reparation and guarantees of non-recurrence: note / by the Secretary-General: <https://undocs.org/A/76/180>
Transmits report of the Special Rapporteur, Fabián Salvioli, pursuant to Human Rights Council resolution 45/10. Contains: Transitional justice measures and addressing the legacy of gross violations of human rights and international humanitarian law committed in colonial contexts.
- **A/75/174** (7 July 2020): The gender perspective in transitional justice processes : note / by the Secretary-General: <https://undocs.org/A/75/174>
Transmits report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, Fabián Salvioli, pursuant to Human Rights Council resolution 36/7.

- **E/ESCWA/ECW/2019/BRIEF.3** (19 September 2019): Policy Brief - Employing a gendered approach on transitional justice in the Arab region: potential role of national women's machineries: <https://undocs.org/E/ESCWA/ECW/2019/BRIEF.3>
- **A/HRC/RES/42/17**: Human rights and transitional justice: resolution / adopted by the Human Rights Council on 26 September 2019: <http://undocs.org/A/HRC/RES/42/17>
- **A/HRC/37/65** (6 June 2018): Joint study on the contribution of transitional justice to the prevention of gross violations and abuses of human rights and serious violations of international humanitarian law, including genocide, war crimes, ethnic cleansing and crimes against humanity, and their recurrence : report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence and the Special Adviser to the Secretary-General on the Prevention of Genocide : note / by the Secretariat: <http://undocs.org/A/HRC/37/65>
- **A/HRC/RES/33/19**: Human rights and transitional justice: resolution / adopted by the Human Rights Council on 30 September 2016: <http://undocs.org/A/HRC/RES/33/19>
- **S/2011/634** (12 October 2011): The rule of law and transitional justice in conflict and post-conflict societies: report of the Secretary-General: <http://undocs.org/S/2011/634>
- **A/HRC/18/23** (4 July 2011): Report of the United Nations High Commissioner for Human Rights on human rights and transitional justice: <http://undocs.org/A/HRC/18/23>
- **A/HRC/12/18** (6 August 2009): Analytical study on human rights and transitional justice: <http://undocs.org/A/HRC/12/18>
- **A/HRC/12/18/Add.1** (21 August 2009): Analytical study on human rights and transitional justice – Addendum: Inventory of human rights and transitional justice aspects of recent peace agreements: <http://undocs.org/A/HRC/12/18/Add.1>
- **E/CN.4/2006/93** (7 February 2006): Study by the Office of the United Nations High Commissioner for Human Rights on human rights and transitional justice activities undertaken by the human rights components of the United Nations system: <http://undocs.org/E/CN.4/2006/93>
- **S/2004/616** (23 August 2004): Report of the Secretary-General: The rule of law and transitional justice in conflict and post-conflict societies: <http://undocs.org/S/2004/616>

Selected Publications available online

- Guidance Note of the Secretary General: Transitional Justice - A Strategic Tool for People, Prevention and Peace (October 2023): <https://www.ohchr.org/en/documents/tools-and-resources/guidance-note-secretary-general-transitional-justice-strategic-tool>
- Women's meaningful participation in transitional justice: Advancing gender equality and building sustainable peace (UNDP / UN Women, 2022): <https://www.unwomen.org/en/digital-library/publications/2022/03/research-paper-womens-meaningful-participation-in-transitional-justice>
- From Justice for the Past to Peace and Inclusion for the Future: A Development Approach to Transitional Justice (UNDP, 2021): <https://www.undp.org/publications/justice-past-peace-and-inclusion-future-development-approach-transitional-justice>
- The UN Security Council and Transitional Justice (UNU-CPR, 2021): http://collections.unu.edu/eserv/UNU:7965/UNU_TransitionalJustice_FINAL_WEB.pdf
- UNDP Discussion Paper: Complementarity and Transitional Justice (2015): <https://www.undp.org/publications/complementarity-and-transitional-justice>
- Transitional Justice and Economic, Social and Cultural Rights (OHCHR, January 2014): <http://www.ohchr.org/Documents/Publications/HR-PUB-13-05.pdf>
- Transitional Justice and Aid (UNU-WIDER, June 2012): <https://www.wider.unu.edu/sites/default/files/wp2012-006.pdf>
- A Window of Opportunity? Making Transitional Justice Work for Women (UN WOMEN, 2012): September 2010): <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2012/10/WPSourcebook-06B-TransitionalJusticeWork4Women-en.pdf>
- Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice (March 2010): <https://digitallibrary.un.org/record/682111>
- Rule-of-law Tools for Post-conflict States: National consultations on transitional justice (2009): http://www.ohchr.org/Documents/Publications/NationalConsultationsTJ_EN.pdf
- UNHCR Suggested Reading on the Rule of Law and Transitional Justice (1 March 2008): <http://www.unhcr.org/4a2cc2e26.html>

Further Information

- **Sustainable Development Goal 16: Peace, Justice and Strong Institutions:**
<https://www.un.org/sustainabledevelopment/peace-justice/>
<https://sdgs.un.org/goals/goal16>
- UNRIC Library Backgrounder – Rule of Law:
<https://unric.org/en/unric-library-backgrounder-rule-of-law/>

11 October 2023
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<https://unric.org/en/unric-library-backgrounder-transitional-justice/>