Abu Ghraib prison, 126, 127, 131, 142
ACDI/VOCA, 117
Afghanistan, 47, 157
Africa Transitional Justice Research Network (ATJRN), 15, 47, 50
African National Congress (ANC), 29
American Civil Liberties Union (ACLU), 139, 140, 141
American Convention on Human Rights (ACHR), 93
amnesties, 30–31, 37, 42, 76, 93, 96, 102, 135, 141, 156
Amnesty International, 8, 9, 15, 37, 44–46, 155
Annan, Kofi, 38, 113
apartheid, 28–31, 34
Argentina, 24, 27, 45, 108, 140
Ashcroft, John, 126
Aspen Institute, 24, 34
Association of Journalists, 78
Association of Transitional Justice, Accountability and Remembrance, 81, 87
AUC (United Self-Defense of Colombia), 94
Australia, 47, 51
Azanian Peoples Organization, 30
Balkan Transitional Justice Initiative, 85
Ball, Patrick, 49
Barrett, John Q., 134
Battle of Kosovo (1389), 59, 72
Bell, Christine, 48, 49
Bensouda, Fatou, 111
Berkeley School of Law, 126, 137
Berresford, Susan, 33, 36
Betancur, Belisario, 93
Bickford, Louis, 28, 39, 40
Bill of Rights Defense Council (BORDC), 141
Blum, Carolyn Patty, 137
Boraine, Alex, 32, 33, 34, 36, 37, 38, 41, 42
Bosnia-Herzegovina, 16, 57–89
Bosnia as part of Yugoslavia, 59
Bosnian war, 59–60
civil society, 62
Coalition for RECOM, 66–68
Dayton Peace Accords, 60–61
economic condition, 62
education system, 61
history, 59–60
ICTY and, 63
national groups in, 57
National War Crimes Strategy, 61
nongovernmental organizations, 62
Office of the High Representative, 61
per capita GDP, 62
procedural justice in, 72–75
transitional justice in, 62–64
instrumentalization of, 85–88, 87–89
interventions, 87
translation beyond courts, 85–87
truth commission in
consultations, 69–70
everlier attempts at, 64–66
goals of, 70–72
rejection of, 75–76
signature campaign for, 1
war crimes, 61
war’s legacy in, 59–60
Bosniaks (Bosnian Muslims), 1, 57, 59–60
Boumedienne v. Bush, 127
Boys, Adam, 86
Buritica, Patricia, 103
Index

Bush, George W., administration of, 15, 17–18, 123, 128, 147
Bybee, Jay, 125, 126–27
Canada, 10, 47, 140
Carnegie Corporation, 37
Cassel, Doug, 34, 113
Center for Civic Cooperation, 77
Center for Constitutional Rights (CCR), 140–41
Center for Democracy and Transitional Justice, 81
Center for Informative-Legal Support (Bosnia-Herzegovina), 78
Center for Memory and Reconciliation (Colombia), 105
Central Intelligence Agency (CIA), 126, 145
Centre for Good Governance in Sierra Leone, 47
Centre for Good Government in Ghana, 47
Centre for the Study of Violence and Reconciliation (CSVR), 16, 27, 34–35, 43, 47, 50
Cepeda, Manuel, 100
Chile, 24
Chilean truth commission of 1992, 31
Christo, Juan Fernando, 106
Citizens Forum-Tuza, 77
civil society, 9
Coalition for RECOM, 16, 58, 66–68
authority and mandate of, 71–72
consultations, 69–70, 73
Coordinating Council, 82
critiques of, 75–76, 79
difficulties in gaining popular support, 152
donors to, 67
establishment of, 69
foundings, 66–67
ICTY and, 70
leadership, 77–80
media campaign, 73–74
NGOs and, 79
organizational dynamics in, 79
procedural justice and, 72–75
promotion materials, 74–75
reconciliation and, 74
regional forums, 68, 69
signatures campaign, 80–81
strategies of, 69
Colombia, 51, 90–122
conflicts in, 92–94
constitution, 93
FARC (Armed Revolutionary Forces of Colombia)
peace negotiations, 17, 90, 112–14
transitional justice and, 120–21
truth commission and, 114–16, 118–19
Historical Commission on the Conflict and its Victims, 117
Justice and Peace Law, 90, 96–97, 103, 120
legal fetishism in, 95
Legal Framework for Peace, 108–10, 111–12
Ley de Alternatividad Penal, 95–96
National Center for Historical Memory, 118–19
National Commission on Reparation and Reconciliation, 93, 103–04
peace negotiations, 112–14
Ralito Pact, 97
Superior Tribunal of Peace, 105
transitional justice in, 5, 94–96
actors, 146–47
advocacy groups, 104–06
agreement to, 114–16
challenging in court, 111–12
defining in courts, 97–98
future of, 119–22
institutionalization of, 110
Justice and Peace Law as, 96–97
law, 1–2
promotion of, 98–100
transformation of, 108–10, 119–22
Transitional Justice Unit, 110
truth commission in, 17, 103–04, 116–17, 152
Victims Law, 106–08, 118
Colombian Commission of Justus (CCJ), 97, 102
Colombian Communist Party, 93
Commission of Inquiry into the Disappearance of People in Uganda, 27
Commission on Accountability, 123, 136, 138–39
Commission on Reception, Truth, and Reconciliation (CAVR), 41
Commission on Truth and Reconciliation (Chile), 31
CONADEP, 27
Constitution Project, 139
Convention Against Torture, 125
Convivir, 94
Conyers, John, 130
Correa, Christian, 72–73
Cox, Larry, 34
Criminal Code (2003), 64
Croatia, 17, 59, 81–82
Croats, 57
Cuba, 48
Czechoslovakia, 24
Davis Group, 133
Dayton Peace Accords, 60–61
de Grieff, Pablo, 46, 99
De Justicia, 99
de Klerk, F. W., 29
Index

Degert, Vincent, 70
del Ponte, Carla, 67–68
de-territorialized ethnography, 14
Diaz, Catalina, 99, 110, 112, 113
Dodik, Milorad, 65
Dokumenta, 66
Dunlavey, Michael, 125

East Timor truth commission, 41
Eastern Europe, 23, 24
Eaton, Paul, 129
Eguízabal, Cristina, 32–33
El Baile Rojo (Red Dance), 93
El Salvadoran commission, 24
Elster, Jon, 99
enhanced interrogations, 125
Equity and Reconciliation Commission, 42
European Commission, 85
European Convention on Human Rights (ECHR), 60
European Court of Human Rights (ECHR), 60, 64
FARC (Armed Revolutionary Forces of Colombia)
peace negotiations, 17, 90, 112–14
transitional justice and, 120–21
truth commission and, 114–16, 118–19
Federation for Human Rights, 34
Feinstein, Dianne, 145
Ferdinand, Franz, 62
Finci, Jakob, 65
Ford Foundation, 27–28
grants, 27
to ICTJ, 37
to New York University, 32–33
Historical Memory initiative, 28
human rights movement and, 35
Freeman, Mark, 42, 67, 95, 112
Fundación Social, 95
Furnari, John, 83–84
Gaitan, Jorge, 92, 107
Galán, Luis Carlos, 93
Gallon, Gustavo, 97, 102, 111–12
Geneva Conventions, 125, 126
genocide, 60, 64, 70
Greensboro TRC, 123, 140
Guantánamo Bay, 124–27, 142
Guantánamo Project (website), 132
Guatemala, 32–33
Guatemalan Historical Commission, 34
Gustavo Gallón Giraldo y Otros v. Colombia, 97
Hague Conventions, 125
Hamdi v. Rumsfeld, 127
Hani, Chris, 29–30
Harvard Law School, 48
Hayner, Priscilla, 28
memo on transitional justice, 32–33
proposal for ICTJ, 36
on transitional justice, 36–37
Helsinki Committee for Human Rights-Republika Srpska, 77–78, 81
Henkin, Alice, 34, 35, 158
Historical Commission on the Conflict and its Victims (HCCV), 107
Historical Memory Center, 107
Historical Memory Group, 118
Historical Memory Initiative, 39
Holbrooke, Richard, 60
Honigsberg, Peter, 132, 143–44
human rights abuses or violations of, 3, 28, 35, 52, 60, 65, 93, 102, 111–12, 135, 155, 158
advocacy organizations’ promotion of, 27
anti-impunity and, 155
international, 158–59
movement, 9, 34, 38, 160
national, 158–59
transitional justice and, 35, 38, 44–45, 52
Human Rights Watch, 9, 15, 27, 44, 46, 77, 156
Humanitarian Law Center (HLC), 66, 73–74, 77, 78, 79
Hurtado, Michael Reed, 100–01
ideologies, 158–59
instrumentalization across time and space, 14–18
framing strategies in, 13
organizational dynamics in, 13
political opportunities in, 14
theory of, 11–14
Interamerican Court for Human Rights (IACHR), 93, 102, 115
intermediaries, 12
International Center for Transitional Justice (ICTJ), 15. See also transitional justice advocates, 13
ambitions of, 38
Bogotá office, 99, 100, 101
creation of, 3, 8, 15, 36–37
Ford Foundation’s grants to, 37
founder of, 28
goals and strategies of, 137
initial meeting of future leaders in April 2000, 33–36
name change, 36
International Center for Transitional Justice (cont.)
New York office, 22
Remembering in Conflict: Non-Official Memory Initiatives in Colombia, 103
research program, 46–47
signature campaign in Sarajevo and, 1
transitional justice essentials class, 39
truth commission model, 137–38
UNDP and, 83
International Commission on Missing Persons (ICMP), 85–86, 88
International Criminal Court (ICC), 35, 94, 156
International Criminal Tribunal for the former Yugoslavia (ICTY), 63, 70, 86, 88
International Crisis Group, 99
international human rights, 158
International Human Rights Clinic (UC Berkeley), 137
International Journal of Transitional Justice (IJTJ), 47–48
International Organization for Migration, 95
Izvar, 77
Jaramillo, Jaime, 103
Justice and Peace Law (Colombia), 2, 17, 90, 96–97, 103, 120
justice cascade, 155
Kandic, Natasa, 66, 78, 80, 81
Karadzic, Radovan, 60
Kenya, 47
Kosovo, 81–82
Kostunica, Vojislav, 42
Krajina, 64
Kristof, Nicolas, 129
Kritz, Neil, 26, 31–32, 34, 35, 65
Lakey, Scott, 99
Latin America, 23
Leahy, Patrick, 123, 130–31, 134
Legal Framework for Peace (Colombia), 90, 108–10, 111–12
legal ideas, 148–63
anti-impunity agenda of transitional justice, 155–56
ideologies and, 158–59
movements around, 159–62
transitional justice as a placeholder, 156–57
legal imperialism, 160
Letic, Aleksandara, 77–78
Ley de Alternatividad Penal (Colombia), 95–96
Liberia, 22
localization, 12
Luers, Wendy, 25
M-19 guerrillas, 93, 107
MacArthur Foundation, 37
Macedonia, 59, 81–82
Mandela, Nelson, 29, 135
Marquetalia, 92
McCain, John, 128
Mendez, Juan, 34, 40, 45, 131
Mersky, Marcie, 34
Military Commissions Act, 127
Milosevic, Slobodan, 59
Minow, Martha, 149
Mladic, Ratko, 60, 80
Montenegro, 59, 81–82
Mora, Alberto, 126
Morocco, 15, 16, 42
MOVICE, 106
narco-trafficking, 115, 118, 121
National Center for Historical Memory, 118–19
National Commission on Reparation and Reconciliation (Colombia), 103–04
creation of, 2, 90
Historical Memory Group, 103, 105
National Endowment of Democracy, 81
National Front (Colombia), 92
National Religious Campaign Against Torture, 131
National Unity and Reconciliation Act of 1995 (South Africa), 50
Neier, Arleh, 44
Nepal, 51
9/11 Commission, 138–39
nongovernmental organizations (NGOs), 62
Northern Ireland, 48
Obama, Barack, 2, 17–18, 116, 123, 129, 145, 161
Office of Legal Counsel (OLC), 125, 127
Office of the High Representative (Bosnia-Herzegovina), 61
Ojeda, Almerindo, 132–33, 144
Open Society Institute, 25, 131, 137, 144
Open Truth (Verdad Abierta), 105
Organization for Security and Cooperation in Europe, 61
Orozco, Ivan, 95, 112, 113
Payne, Leigh, 49
Paz Colombia (Peace Colombia), 116
peace negotiations, 112–14
Philips, Timothy, 25, 48
Physicians for Human Rights, 142–43
Pickering, Thomas, 131, 134
Pizzaro, Eduardo, 103, 104
Poland, 24
prosecutions, 52

Index

R2P (responsibility to protect), 158
Rahkin, Jeremy, 135
Ralito Pact, 95
Rasul v. Bush, 127
Raymond, Nathaniel, 137, 142–43
Red Dance (El Baile Rojo), 93
Refugee Law Project (Ghana), 47
Republika Srpska, 60
Research and Documentation Center, 67
Rivera, Guillermo, 106
Rivkin, David Jr., 135
Rockefeller Archives, 15
Rockefeller Brothers Fund, 75, 81
Roht-Arriaza, Naomi, 34, 35
Rome Statute, 35, 93, 126
Romero, Anthony, 33, 35, 37
Rumsfeld, Donald, 126
Rutherford Institute, 136–37
Rwanda, 24
Salzburg Conference, 37, 131
Sanchez, Gonzalo, 105, 118
Sandoval Villalba, Clara-Lucia, 49
Santos, Francisco, 103
Santos, Juan Manuel, 91, 108, 111, 112–14, 121
Saudi Arabia, 51
Schwartz, Fritz, 136
Sejdie and Finci vs. Bosnia and Herzegovina, 60
Serbia, 17, 42, 59
Serbs, 57, 59–60
Sessions, William, 131
Shining Path, 133
Sierra Leone, 51
Simpson, Graeme, 34–35, 41
Slovenia, 59, 81–82
Soldz, Stephen, 131–32, 143
Sooka, Yasmin, 34
Soros, George, 25
South Africa
apartheid, 29
“chicken run,” 29–30
new Constitution, 29–30
South Africa Truth and Reconciliation Commission, 3, 29–32. See also truth commissions
amnesty, 30–31
harmony ideology of, 131–52
idealistic discourse, 153
legal framework, 30
public hearings, 31
reparations to victims of violence, 31
“revealing is healing” model, 149
transitional justice movement and, 8
South African Constitutional Court, 30
South Korea, 10, 140
Southern Europe, 23
Srebrenica Commission, 65
Sri Lanka, 162
Sulzer, Jeanne, 34, 35
Superior Tribunal of Peace (Colombia), 115
Taguba, Antonio, 131
Taiwan, 162
Tolbert, David, 38, 45, 114
Tomuschat, Christian, 32–33
Torres, Cesar, 117
torture
Abu Ghraib prison, 126, 142
in Bosnian War, 60
Bush administration’s policy on, 17–48, 127
CIA’s role in, 126, 145
definition of, 125
as an issue in 2001 US presidential election, 2, 128
in Morocco, 42
Obama administration’s policy on, 17–48, 129, 145
public perceptions of, 140
state-sponsored, 132
War on Terror and, 2, 123–47
advocates against truth commission, 136–39
no political opportunities for commission, 142–43
problem with truth commission, 133–36
rejection of truth commission, 139–42
scholar-advocates’ views, 143–44
transitional justice initiatives, 144–47
Torture Memos, 125–26
Torture Victims Protection Act (United States), 125
Tracy, Jonathan, 136
transitional justice
academics in, 154
anti-impunity agenda of, 155–56
critiques of, 35
elites’ role in, 153–54
goals and strategies of, 31
instrumentalization of, 83–85
interventions, 6
disappointments, 160–61
efficacy of, 42–43
elites’ role in, 31
goals of, 32
legalization of, 56
malleability of, 37–41, 52–54, 147
Index

transitional justice (cont.)
origins of, 23–26
pillars of, 38
as a placeholder, 156–57
professionalization of, 8–10, 152–55
promotion of, 37–40
prosecutions and, 52
scholarship on, 45–50
South Africa model of, 29–32
as a transnational movement, 6–8
truth commissions and, 27–29, 32–33, 162–63
in war on terror, 123–47
Transitional Justice Institute, 48, 49
transitional justice instruments, 1–2
translators, 12
transnational advocacy networks (TANs), 7
transnational movement, 22–56
academics in, 45–50
creating, 55–56
creation of ICTJ, 36–37
elites’ role in, 51
identity of, 50–55
transnational transitional justice advocacy organizations, 15
Trump, Donald, 144–45, 161
truth commissions, 2–3, 27–29
in Bosnia-Herzegovina, 64–66, 70–72
in Canada, 48
in Colombia, 103–04, 116–17
comparison of, 10–11
in different settings, 10–11
in East Timor, 41
in El Salvador, 24
in Guatemala, 32–33
malleability of, 73–74, 152–55
in Morocco, 15, 16, 42
multiple goals of, 70–72
professionalization of, 32–33
promotion of, 28
as quasi-judicial medium, 149–52
rejection of, 75–76
as signature intervention of transitional justice, 41
South Africa model of, 12, 29–32
Ugandan commission, 27
as vehicle for survivors to tell their stores, 73
as voice commissions, 149–50
Tunisia, 12
Ugandan commission, 27
UN High Commissioner for Human Rights, 37
Uniform Code of Military Justice (UCMJ), 127
United Nations Development Program (UNDP), 63, 83–85
United Nations Security Council, 38
United Patriotic Front (Colombia), 107
United States
Bush administration’s policy on torture, 17–18, 127
Obama administration’s policy on torture, 17–18, 129, 145
transitional justice in, 17–18, 144–47
Truth Commission 2008–2013, 125–33
advocates against, 136–39
political opportunities, 142–43
problem with, 133–36
proposal for, 130–31
rejection of, 139–42
scholar-advocates, 143–44
United States Institute of Peace (USIP), 26, 135
University of Essex Transitional Justice Network, 50
Uribe, Alvaro, 90, 94, 106, 111, 116, 120, 121
U.S. Accountability Project, 137
USAID, 116
Van der Merwe, Hugo, 47
Van Zyl, Paul, 27, 32, 34, 36, 41, 42
Vance Plan of 1992, 59
Verdad Abierta (Open Truth), 105
Victims Law (Colombia), 160–68, 118
War Crimes Chamber, 64
War on Terror, 2. See also torture
detention policies in, 124–29
transitional justice in, 123–47
truth commission and advocates against, 136–39
political opportunities in, 142–43
problem with, 133–36
rejection of, 139–42
scholar-advocates’ views, 143–44
transitional justice initiatives in, 144–47
waterboarding, 127
Weinstein, Harvey, 47
Whitehead, John, 142
Witness to Guantánamo Project, 144
Woodrow Wilson School, 23
writ of habeas corpus, 161–62
Yoo, John, 125, 126–27
Youth Initiative for Human Rights–Sarajevo, 78
Yugoslavia. See also Bosnia-Herzegovina
dissolution of, 1, 42, 59
formation of, 59
Kingdom of, 59
Zubaydah, Abu, 126, 127