

Cambridge University Press

978-1-107-04037-3 - Transitional Justice in the Asia-Pacific

Edited by Renée Jeffery and Hun Joon Kim

Index

[More information](#)

Index

- Abubakar, Azwar, 112
- accountability-with-stability, 51–53, 275–277
- Aceh, Indonesia, 28–29
- Aceh Monitoring Mission (AMM), 98, 108–110
- Aceh Reintegration Agency (BRA), 112–114
- amnesty, 107–112
- background, peace and transformation, 90–96
- Coalition for Truth Recovery (KPK), 101–102
- Department of Law and Human Rights, 101
- Disarmament, Demobilization and Reintegration (DDR) framework, 113
- Free Aceh Movement (Gerakan Aceh Merdeka, GAM), 87–88, 94–95, 106–112, 117–119
- grassroots reconciliation, truth seeking initiatives, 117–122
- Helsinki Memorandum of Understanding (MoU), 28, 88, 108
- Human Rights Court, prosecutions, 96
- Human Rights Courts (Pengadilan HAM), 96
- Law for the Governing of Aceh (LoGA), 98, 100
- Legal Aid Institute (LBH), 98
- Ministry of Human Right and Law, 103–104
- National Human Rights Commission (Komnas HAM), 97–98
- Partia Aceh (PA), 95, 105
- reparations, 112–114
- security sector reform, 115–117
- Tentara Nasional Indonesia (TNI), 87–88
- transitional justice phases, 89–93
- Truth and Reconciliation Commission (TRC), 94, 99–107
- AHRC. *See* Arts and Humanities Research Council
- Ahtisaari, Martti, 103
- Alebua, Ezekiel, 201
- Alien Tort Claims Act (U.S.), 84
- Alston, Philip, 79
- amnesty, 15–16, 50
- Aceh, Indonesia, 107–112
- Black's Law Dictionary* definition, 223
- for human rights violations with legal standing, 36
- regional bias, 56–57
- sequencing, 53–54
- timing, 54
- trends, 36, 54
- trials, truth commissions and, 51–53
- types, 54–56
- Amnesty International, 16, 81
- Anticommunism Act of 1961, South Korea, 236
- APEC. *See* Asia-Pacific Economic Cooperation
- Arts and Humanities Research Council (AHRC/U.K.), 36, 41

Cambridge University Press

978-1-107-04037-3 - Transitional Justice in the Asia-Pacific

Edited by Renée Jeffery and Hun Joon Kim

Index

[More information](#)

- Ash, Paul, 211
- Asian Human Rights Commission, 76
- Asia-Pacific
- accountability measures, adoption and diffusion, 266–272
 - accountability measures, impact, 272–278
 - accountability-with-stability, 275–277
 - comparative perspective, 57–60
 - political transitions involving political justice, 1980–2010, 25–27
 - region definition, 21
 - transitional justice, three debates, 261–266
 - transitional justice trends, 1980–2010, 22–25
 - truth commissions, 263–264, 278
- Asia-Pacific Economic Cooperation (APEC), 21
- ASPI. *See* Australian Strategic Policy Institute
- Ata, Samuel, 220–221
- Australian Strategic Policy Institute's (ASPI), 198
- Averre, Kenneth, 216–217
- Awaludin, Hamid, 108
- Batalanda Commission, Sri Lanka, 67
- Batley, James, 217–218
- Beuransyah, Adnan, 105
- Booth Walling, Carrie, 12
- BRA. *See* Aceh Reintegration Agency
- Bush, George, 168
- Cambodia, 24
- Extraordinary Chambers in the Courts of Cambodia (ECCC), 29–30
 - assessment of, 141–153
 - funding, 129
 - key features, 127–129
 - problems face by, 134–141
 - successes, 129
 - Hun Sen, 135–136
 - Khmer Rouge (KR), 125–127
 - leng Sary, 127
 - Lon Nol, 143
 - People's Republic of Kampuchea (PRK), 126–127
 - Pol Pot, 127
 - United Nations Transitional Authority (UNTAC), 145
- CAVR. *See* Commission for Reception, Truth, and Reconciliation
- Chega!*, 177–178
- Choi, Cheon, 243
- Chun, Doo-hwan, 237–238, 246–247
- Coalition for Truth Recovery (KPK), Indonesia, 101–102
- COI. *See* Commission of Inquiry (COI)
- Commission for Reception, Truth, and Reconciliation (CAVR), East Timor, 29, 157, 164–166, 171–172, 188–189
- Commission for Truth and Friendship (CTF), East Timor, 29, 157, 175–177, 188–189
- Commission of Inquiry (COI)
- East Timor, 163, 180
 - Sri Lanka, 70–71
- Community Reconciliation Program (CRP), East Timor, 165–166, 171–172
- complementarity doctrine, International Criminal Court (ICC), 46
- CRP. *See* Community Reconciliation Program, East Timor
- culture of impunity, 279–280
- DDR. *See* Disarmament, Demobilization and Reintegration framework, Indonesia
- de Silva, C. R., 80
- Department of Law and Human Rights, Indonesia, 101
- deterrence hypothesis, 48–50
- Dili Special Panels for Serious Crimes (SPSC), East Timor, 58
- Disarmament, Demobilization and Reintegration (DDR) framework, Indonesia, 113
- Djuli, Nur, 96–97
- domestic transitional prosecutions, regional distribution, 38–40
- East Timor, 29
- Chega!*, 177–178
 - colonialism to transition, 158–166

Cambridge University Press

978-1-107-04037-3 - Transitional Justice in the Asia-Pacific

Edited by Renée Jeffery and Hun Joon Kim

Index

[More information](#)

INDEX

307

- Commission for Reception, Truth, and Reconciliation (CAVR), 29, 157, 164–166, 171–172, 188–189
- Commission for Truth and Friendship (CTF), 29, 157, 175–177, 188–189
- Community Reconciliation Program (CRP), 165–166, 171–172
- Dili Special Panels for Serious Crimes (SPSC), 58
- internal nation building, reconciliation imperatives, 158, 183–187
- International Force for East Timor (INTERFET), 161
- Memorandum of Understanding (MoU), 164
- National Indonesian Army (TNI), 168
- nongovernment organisations (NGOs), 189–193
- post-2006 developments, 179–182
- post-independence developments, 172–179
- recent transitional justice developments, civil society initiatives, 187–193
- Revolutionary Front for an Independent East Timor (FRETILIN), 158–160
- Serious Crimes Investigations Unit (SCIU), 163, 170–171, 180
- Serious Crimes Process, 163–164, 169–170
- Special Panels for Serious Crimes, 163
- Timorese Democratic Union (UDT), 159
- transitional justice decision-making since referendum, politics, 166–182
- United Nations Commission of Inquiry (COI), 163, 180
- United Nations Mission of Support in East Timor (UNMISSET), 173
- United Nations Integrated Mission in Timor-Leste (UNMIT), 180
- United Nations Transitional Administration in East Timor (UNTAET), 157, 161–164, 166–172
- Wirato indictment, 173–175
- ECCC. *See* Extraordinary Chambers in the Courts of Cambodia
- Ethnic Violence truth commission, Sri Lanka, 67
- Extraordinary Chambers in the Courts of Cambodia (ECCC), 29–30
- assessment of, 141–153
- funding, 129
- key features, 127–129
- problems faced by, 134–141
- successes, 129
- Facilitation of International Assistance Act 2003, Solomon Islands, 208
- Feith, Peter, 109
- Forgiveness Bill, Solomon Islands, 223–226
- Framework Act, South Korea, 245
- Free Aceh Movement (Gerakan Aceh Merdeka, GAM), 87–88, 94–95, 106–112, 117–119
- FRETILIN. *See* Revolutionary Front for an Independent East Timor
- Geochang massacre case, South Korea, 242–243
- Gerakan Aceh Merdeka (GAM). *See* Free Aceh Movement
- grassroots reconciliation, truth seeking initiatives
- Aceh, Indonesia, 117–122
- Gusmão, Xanana, 172, 178–179, 185–187
- Habibie, B. J., 160
- Helsinki Memorandum of Understanding (MoU), Indonesia, 28, 88, 108
- Henkin, Alice, 13
- Huater, Francois, 150
- Human Rights Commission, Sri Lanka, 67–68, 71–72
- Human Rights Council, United Nations Sri Lanka resolution, 79
- Human Rights Court, Aceh, 98
- Human Rights Court (Pengadilan HAM), Aceh, 96
- human rights violations
- accountability measures, 1, 6
- context, 56
- international prosecutions, 39–40
- Human Rights Watch, 16, 76
- Huntington, Samuel, 9–10
- ICG. *See* International Crisis Group

Cambridge University Press

978-1-107-04037-3 - Transitional Justice in the Asia-Pacific

Edited by Renée Jeffery and Hun Joon Kim

Index

[More information](#)

308

INDEX

- ICTJ. *See* International Center for Transitional Justice
- ICTR. *See* International Criminal Tribunal for Rwanda
- ICTY. *See* International Criminal Tribunal for the Former Yugoslavia
- Iduri, Sam, 222
- IFM. *See* Isatabu Freedom Movement
- individual criminal accountability model, 35
- Inter-American Court of Human Rights, 45, 57
- INTERFET. *See* International Force for East Timor
- International Center for Transitional Justice (ICTJ), 16, 81, 93
- International Criminal Court (ICC), 46, 59, 83
- International Criminal Tribunal for Rwanda (ICTR), 38
- International Criminal Tribunal for the Former Yugoslavia (ICTY), 10–11, 36
- International Crisis Group (ICG), 62, 78
- International Force for East Timor (INTERFET), 161
- international human rights prosecutions, 39–40
- International Independent Group of Eminent Persons, Sri Lanka, 70–71
- Isatabu Freedom Movement (IFM), Solomon Islands, 201–202
- Janatha Vikmuthi Peramuna (JVP), Sri Lanka, 64
- Japan
- South Korea and, 232
 - Tokyo international military tribunal, 21
 - Yasukuni Shrine, 22
- Jeffery, Renée, 278
- Jeju Commission, South Korea, 248–252, 256–257
- Jeju uprisings, South Korea, 233–234
- Jeon, Gi-ho, 240
- The Justice Cascade: How Human Rights Prosecutions are Changing World Politics* (Sikkink), 49
- JVP. *See* Janatha Vikmuthi Peramuna
- Karphammar, Christer, 109
- Keke, Harold, 203, 205–206, 208
- Kemakeza, Allan, 196
- Kent, Lia, 268, 278
- Khmer Rouge (KR), Cambodia, 125–127, 142–154
- Kim, Byeong-ro, 238
- Kim, Chang-guk, 240
- Kim, Dae-jung, 247
- Kim, Hun Joon, 12, 47, 49–50, 272
- Kim, Sang-deok, 238
- Kim, Young-sam, 243–244
- King, Kimmie, 12–13
- Komnas HAM, Indonesia, 97–98
- Kontra S, Indonesia, 93, 98
- Korean War, 234–235
- KPK. *See* Coalition for Truth Recovery, Indonesia
- KR. *See* Khmer Rouge, Cambodia
- Kumaratunga, Chandrika, 67–70, 74–76
- Latin America, 4, 56–57
- Law for the Governing of Aceh (LoGA), 98, 100
- Lee, Young-jo, 251
- Legal Aid Institute (LBH), Indonesia, 98
- Lessons Learnt and Reconciliation Commission (LLRC), Sri Lanka, 79–82
- liberal peace, 18–19
- Liberation Tigers of Tamil Eelam (LTTE), 28
- human rights violations, 61
 - military activities, 63–65
- Lilo, George Solingo, 223–224
- LLRC. *See* Lessons Learnt and Reconciliation Commission
- Longarata, Lionel, 207, 225–226
- Lon Nol, 143
- LTTE. *See* Liberation Tigers of Tamil Eelam
- Mahmud, Malik, 110
- Malaita Eagle Force (MEF), Solomon Islands, 202
- McCargo, Duncan, 149
- MEF. *See* Malaita Eagle Force, Solomon Islands
- Meernik, James, 12–13

Cambridge University Press

978-1-107-04037-3 - Transitional Justice in the Asia-Pacific

Edited by Renée Jeffery and Hun Joon Kim

Index

[More information](#)

INDEX

309

- Ministry of Human Rights and Law,
Indonesia, 103–104
- Moore, Clive, 202
- National Association of Bereaved Families
of the Korean War, 244–245,
251–252, 254–255
- National Human Rights Commission
(Komnas HAM), Indonesia, 97–98
- National Indonesian Army (TNI), East
Timor, 168
- National Science Foundation (NSF/U.S.),
36, 41
- National Security Act of 1948, South
Korea, 235
- Nazar, Muhammad, 94–96, 104
- Nichols, Angela, 12–13
- normative socialization hypothesis, 49
- Northern Ireland, 5
- NSF. *See* National Science Foundation
- O'Donnell, Guillermo, 10
- Office of the High Commissioner for
Human Rights (OHCHR), 16–17
- Olsen, Tricia, 15–16, 49–50, 51
- Orentlicher, Diane, 21
- Our Failing Neighbour* (ASPI report), 198
- Park Chung-hee coup, 236–237, 243
- Partia Aceh (PA), Indonesia, 95, 105
- Payne, Leigh, 15–16, 49–50, 51, 272
- peacebuilding, 5
- Pengadilan HAM, Indonesia, 97–98
- People's Republic of Kampuchea (PRK),
Cambodia, 126–127
- Pillay, Navanethem, 83
- Pinochet, Augusto, 11
- Pol Pot, 127
- politics, power, 268–270
- Polity II data, 40–41
- Pollard, Bob, 223
- post-liberal peace, 19
- Prevention of Terrorism Act, Sri Lanka,
75, 80
- Principles to Combat Impunity*
(Orentlicher), 21
- Prison Fellowship International's
Sycamore Tree Program, Solomon
Islands, 214, 217
- PRK. *See* People's Republic of
Kampuchea, Cambodia
- prosecution *vs.* pardon, 9–13
- Rajapakse, Mahinda, 70, 76–77
- Ramos-Horta, Jose, 172, 175, 180–181
- RAMSI. *See* Regional Assistance Mission
to the Solomon Islands
- Ranariddh, Norodom, 147, 150
- Regional Assistance Mission to the
Solomon Islands (RAMSI),
196–198, 208–209, 217–219
- Reiter, Andrew, 15–16, 49–50, 51
- retributive *vs.* restorative justice, 13–16
- Revolutionary Front for an Independent
East Timor (FRETILIN), 158–160
- Rhee Syng-man dictatorship, South Korea,
235, 239, 243
- Roh, Moo-hyun, 239, 244, 250–251
- Roh, Tae-woo, 237, 246–247
- Rome Statute, 11, 59
- Sary, Ieng, 127
- Schmitter, Philippe, 10
- SCIU. *See* Serious Crimes Investigations
Unit, East Timor
- Sen, Hun, 135–136, 145–150
- Seong, Dae-gyeong, 239
- Serious Crimes Investigations Team
(SCIT), East Timor, 180
- Serious Crimes Investigations Unit
(SCIU), East Timor, 163, 170–171
- Serious Crimes Process, East Timor,
163–164, 169–170
- Sikkink, Kathryn, 12, 49, 272
- Silva, Shavendra, 84
- Snyder, Jack, 12
- Soeharto, 160
- Solomon Islands
- accountability and responsibility, TRC,
221–226
 - Christian religion and, 213–214
 - conflict underlying factors, 199–201
 - Facilitation of International Assistance
Act 2003, 208
 - Forgiveness Bill, 223–226
 - Isatabu Freedom Movement (IFM),
201–202
 - kastom* and, 212–213

Cambridge University Press

978-1-107-04037-3 - Transitional Justice in the Asia-Pacific

Edited by Renée Jeffery and Hun Joon Kim

Index

[More information](#)

310

INDEX

- Solomon Islands (*cont.*)
 Malaita Eagle Force (MEF), 202
 reconciliation, 211–216
 Regional Assistance Mission to the
 Solomon Islands (RAMSI),
 196–198, 208–209, 217–219
 rule of law, 208–211
 Sycamore Tree Program, 214, 217
 Tension Trials, 209–210
 The Tensions, 195–207, 216–219
 Townsville Peace Agreement (TPA),
 202–207
 transitional justice, 208–219
 Truth and Reconciliation Commission
 (TRC), 30, 208–226
 truth recovery, TRC, 220–221
 violence outbreak, 201–202
 women's groups, 214–216
 South Africa, 14
 South African Truth and Reconciliation
 Commission, 14, 219
 South Korea, 30–31
 abuses under Japanese colonialism,
 transitional justice, 238–248
 abuses under U.S. occupation,
 transitional justice, 240–242
 Anticommunism Act of 1961, 236
 Chun regime, 237–238, 246–247
 civilian massacres during Korean War,
 transitional justice, 242–245
 Framework Act, 245
 Geochang massacre case, 242–243
 historical, political transitions
 1910–2012, 229
 human rights violations under
 authoritarian regimes, transitional
 justice, 245–248
 Japanese colonialism, 232
 Jeju Commission, 248–252, 256–257
 Jeju uprisings, 233–234
 Kim administration, 243–244
 Korean War, 234–235
 military, authoritarian regimes, 236–238
 National Association of Bereaved
 Families of the Korean War,
 244–245, 251–252, 254–255
 National Security Act of 1948, 235
 Park Chung-hee, 236–237, 243
 recent history, 229
 repressive past, 232–238
 Rhee Syng-man dictatorship, 235, 239,
 243
 Roh Taw-woo administration, 237,
 246–247
 Suspicious Deaths Commission, 247–248
 transitional justice, 238–248
 achievements, 248–252
 assessments, 248–255
 problems, 252–255
 Truth and Reconciliation Commission,
 Republic of Korea (TRCK), 242
 truth commissions, 248–252, 255–257
 under U.S. occupation, 232–234
 Yeosu Suncheon military revolt, 233–234
 Special Panels for Serious Crimes, East
 Timor, 163
 Special Task Force, Sri Lanka, 72
 SPSC. *See* Dili Special Panels for Serious
 Crimes
 Sri Lanka, 28
 abuses throughout the conflict, 65–66
 accountability options outside Sri Lanka,
 82–84
 Batalanda Commission, 67
 Commission of Inquiry (COI), 66–71, 72
 conflict, accountability, rule of law
 decline, 75–77
 conflict final stages, abuses in, 78–82
 conflict history, 63–66
 earlier accountability mechanisms, 66–75
 Ethnic Violence truth commission, 67
 government apology, 74–75
 government resistance to accountability,
 62
 Human Rights Commission, 67–68,
 71–72
 human rights violations, 61
 Human Rights Watch reports, 76
 International Criminal Court (ICC)
 referral, 83
 International Crisis Group (ICG), 62,
 78
 International Independent Group of
 Eminent Persons, 70–71
 internationalized criminal justice, 83–84
 Janatha Vikmuthi Peramuna (JVP), 64
 Lessons Learnt and Reconciliation
 Commission (LLRC), 79–82

Cambridge University Press

978-1-107-04037-3 - Transitional Justice in the Asia-Pacific

Edited by Renée Jeffery and Hun Joon Kim

Index

[More information](#)

INDEX

311

- Liberation Tigers of Tamil Eelam (LTTE), 63–65
- post-conflict justice implications, 84–85
- Prevention of Terrorism Act, 75, 80
- prosecutions, 72–74
- Special Task Force, 72
- Tamil United Liberation Front (TULF), 63
- UN Human Rights Council resolution, 79
- UN panel on, 82–83
- Sriram, Chandra, 278
- Stanley, Elizabeth, 174
- state accountability model, 34–35
- Sukarnoputri, Megawaiti, 168, 172
- Suspicious Deaths Commission, South Korea, 247–248
- Sutarto, Endriartono, 97
- Syahnkri, Kiki, 97
- Sycamore Tree Program, Solomon Islands, 214, 217
- Tamil United Liberation Front (TULF), 63
- Tension Trials, Solomon Islands, 209–210
- Tentara Nasional Indonesia (TNI), 87–88
- The Tensions. *See* Solomon Islands
- Timorese Democratic Union (UDT), 159
- TNI. *See* National Indonesian Army, East Timor; Tentara Nasional Indonesia
- Tokyo international military tribunal, 21
- Toma, Amali, 224–225
- top-down vs. bottom-up approaches, 16–19, 264–265
- Tortured Victims Protection Act (U.S.), 84
- Townsville Peace Agreement (TPA), Solomon Islands, 202–207
- transitional justice
 - accountability-with-stability approach, 51–53
 - amnesty, domestic accountability trends, 36
 - amnesty for human rights violations with legal standing, 36
 - civil society demands, 46–47
 - countries, percentage in each region with more than 3 trials, 1970–2009, 42
 - countries, percentage in each region with trials, 41
 - culture of impunity and, 262, 279–280
 - domestic transitional prosecutions, regional distribution, 38–40
 - emerging trends, Asia-Pacific, 20–27
 - historical background, global trends, 34–44
 - impact, theoretical arguments, 48–57
 - innovation in, 270–272
 - in Latin America, 4
 - mechanisms, theoretical arguments about origins and diffusion of, 44–48
 - policy implications, 279–280
 - Polity II data, 40–41
 - prosecution vs. pardon, 9–13
 - retributive vs. restorative justice, 13–16
 - scholarship, 2–3, 33–34, 259–262
 - success, failure of, 31
 - three debates in, 8–19, 261–266
 - top-down vs. bottom-up approaches, 16–19, 264–265
 - truth commissions, number (and%) by region, 1970–2000, 43–44
 - 21st century redefining, 3–8
- Transitional Justice Database Project, 2–3
- Transitional Justice in Balance: Comparing Processes, Weighing Efficacy* (Olsen, Payne, and Reiter), 51
- TRCK. *See* Truth and Reconciliation Commission, Republic of Korea
- Truth and Reconciliation Commission, Republic of Korea (TRCK), 242
- Truth and Reconciliation Commission (TRC), Solomon Islands, 30, 208–226
- truth commissions, 263–264
 - Aceh, Indonesia, 94, 99–107
 - Commission for Reception, Truth, and Reconciliation (CAVR), East Timor, 29
 - Commission for Truth and Friendship (CTF), East Timor, 29, 157
 - effects of, 278
 - number (and%) by region, 1970–2000, 43–44
 - South African Truth and Reconciliation Commission, 14
 - South Korea, 248–252, 255–257
 - Sri Lanka, 67
 - trials, amnesty and, 51–53

- truth commissions (*cont.*)
 - Truth and Reconciliation Commission, Republic of Korea (TRCK), 242
 - Truth and Reconciliation Commission, Solomon Islands, 30, 219–226
- truth seeking initiatives, Aceh, 117–122
- TULF. *See* Tamil United Liberation Front
- Tutu, Desmond, 219
- UDT. *See* Timorese Democratic Union
- UN panel on Sri Lanka, 82–83
- United Nations Commission of Inquiry (COI)
 - East Timor, 163, 180
 - Sri Lanka, 70–71
- United Nations Human Rights Council, Sri Lanka resolution, 79
- United Nations Mission of Support in East Timor (UNMISSET), 173
- United Nations Integrated Mission in Timor-Leste (UNMIT), East Timor, 180
- United Nations Transitional Administration in East Timor (UNTAET), 157, 161–164, 166–172
- United Nations Transitional Authority (UNTAC), Cambodia, 145
- UNMISSET. *See* United Nations Mission of Support in East Timor
- UNMIT. *See* United Nations Integrated Mission in Timor-Leste
- UNTAC. *See* United Nations Transitional Authority, Cambodia
- UNTAET. *See* United Nations Transitional Administration in East Timor
- victim-centered justice, 14–15
- Vinjamuri, Leslie, 12
- Wahid, Abfurrahman, 167
- Wirajuda, Hassan, 174
- Wirato indictment, East Timor, 173–175
- Yasukuni Shrine, 22
- Yeosu Suncheon military revolt, South Korea, 233–234
- Yudhoyono, Susilo Bambang, 99, 107
- Yusuf, Irwandi, 94–96, 104, 106, 110