

Fact Finding Without Facts The Uncertain Evidentiary Foundations Of International Criminal Conviction

[#international criminal convictions](#) [#evidentiary foundations](#) [#fact-finding challenges](#) [#weak evidence criminal trials](#) [#uncertain justice outcomes](#)

Explore the critical fact-finding challenges that often undermine the evidentiary foundations of international criminal convictions. This analysis delves into the precarious nature of achieving justice when weak evidence or the absence of solid facts leads to uncertain justice outcomes, questioning the very legitimacy of high-stakes criminal trials on the global stage.

Every lecture note is organized for easy navigation and quick reference.

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Fact-Finding without Facts

Fact-Finding Without Facts explores international criminal fact-finding - empirically, conceptually, and normatively. After reviewing thousands of pages of transcripts from various international criminal tribunals, the author reveals that international criminal trials are beset by numerous and severe fact-finding impediments that substantially impair the tribunals' ability to determine who did what to whom. These fact-finding impediments have heretofore received virtually no publicity, let alone scholarly treatment, and they are deeply troubling not only because they raise grave concerns about the accuracy of the judgments currently being issued but because they can be expected to similarly impair the next generation of international trials that will be held at the International Criminal Court. After setting forth her empirical findings, the author considers their conceptual and normative implications. The author concludes that international criminal tribunals purport a fact-finding competence that they do not possess and, as a consequence, base their judgments on a less precise, more amorphous method of fact-finding than they publicly acknowledge.

Principles of Evidence in International Criminal Justice

Principles of Evidence in International Criminal Justice provides an overview of the procedure and practice concerning the admission and evaluation of evidence before the international criminal tribunals. The book is both descriptive and critical and its emphasis is on day-to-day practice, drawing on the experience of the Yugoslavia, Rwanda and Sierra Leone Tribunals. This book is an attempt to define and explain the core principles and rules that have developed at those ad hoc Tribunals; the rationale and origin of those rules; and to assess the suitability of those rules in the particular context of the International Criminal Court which is still at its early stages. The ICC differs in structure from the ad hoc Tribunals and approaches the legal issues it has to resolve differently from its predecessors. The ICC

is however confronted with many of the same questions. The book examines the differences between the ad hoc Tribunals and the ICC and seeks to offer insights as to how and in which circumstances the principles established over years of practice at the ICTY, ICTR and SCSL may serve as guidance to the ICC practitioners of today and the future. The contributors represent a cross-section of the practicing international criminal bar, drawn from the ranks of the Bench, the Prosecution and the Defence and bringing with them different legal domestic cultures. Their mixed background underlines the recurring theme in this book which is the manner in which a legal culture has gradually taken shape in the international Tribunals, drawing on the various traditions and experiences of its participants.

Quality Control in Fact-Finding

This book discusses how fact-finding mechanisms for alleged violations of international human rights, humanitarian and criminal law can be improved. There has been a significant increase in the use of international(ised) and domestic fact-finding mechanisms since 1992, including by the United Nations human rights system, international commissions of inquiry, truth and reconciliation commissions, and NGO fact-finding. They are analysed and assessed in detail by 22 authors under the common theme 'Quality Control in Fact-Finding'. The authors include Richard J. Goldstone, Martin Scheinin, LIU Daqun, Charles Garraway, David Re, Simon De Smet, FAN Yuwen, Isabelle Lassée, WU Xiaodan, Dan Saxon, Christopher B. Mahony, Dov Jacobs, Catherine Harwood, Lyal S. Sunga, Wolfgang Kaleck, Carolijn Terwindt, Ilia Utmelidze and Marina Aksenova. This Second Edition includes new chapters by Geoffrey Robertson QC, Emma Irving and William H. Wiley, as well as a new foreword by Mads Andenæs. The book considers how the quality of every functional aspect of fact-finding can be improved, including work processes to identify, locate, obtain, verify, analyse, corroborate, summarise, synthesise, structure, organise, present and disseminate facts. Emphasis is placed on the nourishment of an individual mindset and institutional culture of quality control. This book concerns fact-work outside criminal justice systems. It is supplemented by *Quality Control in Preliminary Examination: Volumes 1 and 2* and *Quality Control in Criminal Investigation* in the same Series.

Evidence Before the International Court of Justice

Some recent contentious issues about the use of evidence in cases before the International Court of Justice have highlighted the importance of fact-finding and the use of evidence before this Court. This major study on the issue of evidence before the International Court of Justice has examined all aspects of the Court's relationship with facts in both contentious and advisory proceedings from the recently refined procedure for submitting late evidence, to the hearing of live witness testimony in the Peace Palace. Considerations of flexibility and respect for the sovereignty of the State Parties before the Court have traditionally deterred the Court from constructing concrete rules on matters of evidence, but the increasing numbers of cases, in which a thorough consideration of the facts has been essential, has highlighted that some detailed procedural guidance is necessary in order to ensure a well-functioning system of adjudication. It is apparent that the Court has paid an incre

Commentary on the Law of the International Criminal Court

"[This anthology] addresses the gap between international standard-setting prohibiting international sex crimes and actual accountability for individuals who are responsible for such crimes. The book provides detailed analysis of the legal requirements of international sex crimes and types of fact that can be used to meet these requirements. It includes a unique knowledge-base that digests international case law on such crimes. The anthology also contains several studies of institutional and evidentiary challenges in the prosecution of international sex crimes"--Series pref.

Double Standards

The use of image-based evidence in international criminal prosecutions is at a tipping point. In his pioneering book on the topic, Jonathan W. Hak, KC provides critical insight into the authentication and interpretation of images, setting out how images can be effectively used in the search for the truth. While images can convey vital information more efficiently and effectively than words alone, the biases of photographers, the use of image-altering technology, and the generation of images with artificial intelligence can lead to mischief and injustice. In this context, images must be effectively authenticated and interpreted to establish their true meaning. Addressing the growing need for visual literacy, Jonathan W. Hak's *Image-Based Evidence in International Criminal Prosecutions* systematically explores the value of images as probative and didactic evidence in international criminal

law. It analyses existing challenges in the creation, acquisition, processing, and use of image-based evidence, making recommendations for how those challenges might be addressed. In particular, the book investigates emerging technical frontiers in image-based evidence and the potential uses for advanced visual representations like virtual reality, immersive virtual environments, and augmented reality. Ultimately, the book argues that advanced visual representations may have sufficient probative value and proposes cautious parameters for their application in the international courtroom. An essential resource for anyone working with image-based evidence, the book offers significant guidance, relevant legal and technical detail, and recommendations for the use of image-based evidence in investigations and the courtroom.

Understanding and Proving International Sex Crimes

This work offers a multidisciplinary approach to the study of fact-finding, including rigorous and critical analysis of the field of practice, as well as providing a range of accounts of what actually happens. It deepens the study and practice of human rights investigations, and fosters fact-finding as a discretely studied topic, while mapping crucial transformations in the field.

Image-Based Evidence in International Criminal Prosecutions

This book provides a comparative assessment of the procedural law governing facts and evidence with references to over 900 judgments and decisions of the European and the Inter-American Court of Human Rights as well as the UN Human Rights Committee. It identifies underlying principles which govern the procedural law of these international human rights institutions. Based on the premise of a contextualized procedural law governing facts and evidence, the book analyzes where current approaches lack a foundation in the contextualization premise and offers solutions for recurring procedural problems relating to questions of subsidiarity in fact-finding, burden and standard of proof, as well as the admissibility and evaluation of evidence.

The Transformation of Human Rights Fact-finding

The book examines the implications of cosmopolitan thought for the functioning of the ICC, and the implications of this for the position of witnesses before the ICC/other tribunals. The cosmopolitan theory becomes a way of critiquing their practice and jurisprudence.

The Procedural Law Governing Facts and Evidence in International Human Rights Proceedings

This project addressed the admissibility of expert evidence in criminal proceedings in England and Wales. Currently, too much expert opinion evidence is admitted without adequate scrutiny because no clear test is being applied to determine whether the evidence is sufficiently reliable to be admitted. Juries may therefore be reaching conclusions on the basis of unreliable evidence, as confirmed by a number of miscarriages of justice in recent years. Following consultation on a discussion paper (LCCP 190, 2009, ISBN 9780118404655) the Commission recommends that there should be a new reliability-based admissibility test for expert evidence in criminal proceedings. The test would not need to be applied routinely or unnecessarily, but it would be applied in appropriate cases and it would result in the exclusion of unreliable expert opinion evidence. Under the test, expert opinion evidence would not be admitted unless it was adjudged to be sufficiently reliable to go before a jury. The draft Criminal Evidence (Experts) Bill published with the report (as Appendix A) sets out the admissibility test and also provides the guidance judges would need when applying the test, setting out the key reasons why an expert's opinion evidence might be unreliable. The Bill also codifies (with slight modifications) the uncontroversial aspects of the present law, so that all the admissibility requirements for expert evidence would be set out in a single Act of Parliament and carry equal authority.

The Position of Witnesses before the International Criminal Court

It is often only years after the commission of core international crimes that prosecutions and investigations take place. This anthology addresses challenges associated with such delayed justice: the location, treatment, and assessment of old evidence. Part I considers the topic from the perspective of different actors involved in the prosecution of core international crimes at the domestic and international levels. Part II comprises chapters focusing on the efforts of the Bangladeshi authorities to investigate and prosecute international crimes perpetrated during the 1971 war. This book brings together experienced judges, prosecutors, lawyers, scientists, and commentators who have dealt with questions of

old evidence in their work. Among the contributors are Shafique Ahmed, Andrew Cayley, David Cohen, Seena Fazel, Siri S. Frigaard, M. Amir-UI Islam, Md. Shahinur Islam, Agnieszka Klonowiecka-Milart, Alphons M.M. Orie, Stephen J. Rapp, Patrick J. Treanor, Otto Triffterer and Martin Witteveen. The chapters describe the challenges encountered in practice and suggest concrete solutions that can be tailored to fit the circumstances of the case or country. By providing a comprehensive analysis of the relevant problems in this area and a variety of views, this anthology will serve as an invaluable resource for criminal justice actors and researchers seeking to address questions of old evidence.

Expert evidence in criminal proceedings in England and Wales

This book discusses how fact-finding mechanisms for alleged violations of international human rights, humanitarian and criminal law can be improved. There has been a significant increase in the use of international, internationalised and domestic fact-finding mechanisms since 1992, including by the United Nations human rights system, international commissions of inquiry, truth and reconciliation commissions, and NGOs. They are analysed and assessed in detail by 19 authors under the common theme 'Quality Control in Fact-Finding'. The authors include Richard J. Goldstone, Martin Scheinin, LIU Daqun, Charles Garraway, David Re, Simon De Smet, FAN Yuwen, Isabelle Lassée, WU Xiao-dan, Dan Saxon, Chris Mahony, Dov Jacobs, Catherine Harwood, Lyal S. Sunga, Wolfgang Kaleck, Carolijn Terwindt, Ilia Utmelidze and Marina Aksenova. Serge Brammertz has written the Preface, and LING Yan a Foreword. The book emphasises quality awareness and improvement in non-criminal justice fact-work. This quality control approach recognises, inter alia, the importance of leadership in fact-finding mechanisms, the responsibility of individual fact-finders to continuously professionalise, and the need for fact-finders to be mandate-centred. It is an approach that invites the consideration of how the quality of every functional aspect of fact-finding can be improved, including work processes to identify, locate, obtain, verify, analyse, corroborate, summarise, synthesise, structure, organise, present, and disseminate facts. The book also considers regulatory approaches to enhance quality and professionalisation.

Old Evidence and Core International Crimes

A comprehensive study of the topical issue of fact-finding which makes realistic proposals to address the ICJ's problematic practice in this area.

Historical Origins of International Criminal Law

Evidence in International Criminal Trials compares procedural activities relevant for international criminal tribunals and the International Criminal Court: evaluation, collection, disclosure, admissibility and presentation of evidence. The book provides guidance on how to confront legal as well as factual issues.

Quality Control in Fact-Finding

This book shines light on the role of 'de facto international prosecutors' as an emerging phenomenon.

Fact-Finding before the International Court of Justice

Presents theories, practices and critiques alongside each other to engage students, scholars and professionals from multiple fields. This title is also available as Open Access on Cambridge Core.

Philosophical Foundations of International Criminal Law

A practical tool for legal professionals who wish to strengthen their skills in applying the European Convention on Human Rights and the case law of the European Court of Human Rights in their daily work. This is the second and expanded edition of a handbook intended to assist judges, lawyers and prosecutors in taking account of the requirements of the European Convention on Human Rights and its Protocols ("the European Convention") – and more particularly of the case law of the European Court of Human Rights – when interpreting and applying codes of criminal procedure and comparable or related legislation. It does so by providing extracts from key rulings of the European Court and the former European Commission of Human Rights that have determined applications complaining about one or more violations of the European Convention in the course of the investigation, prosecution and trial of alleged offences, as well as in the course of appellate and various other proceedings linked to the criminal process.

Evidence in International Criminal Trials

"Collection of papers presented at the conference "Pluralism v Harmonization: National Adjudication of International Crimes" that was held in June 2012 in Amsterdam"--Acknowledgements.

De facto International Prosecutors in a Global Era

Documenting the experiences, achievements, challenges, and fundamental insights of the Office of the Prosecutor in prosecuting conflict-related sexual violence crimes at the ICTY, this volume analyses and recommends ways to overcome the obstacles faced in prioritizing, investigating and prosecuting conflict-related sexual violence crimes.

A Critical Introduction to International Criminal Law

This book examines the rapid development of the fundamental concept of a crime in international criminal law from a comparative law perspective. In this context, particular thought has been given to the catalyzing impact of the criminal law theory that has developed in major world legal systems upon the crystallization of the substantive part of international criminal law. This study offers a critical overview of international and domestic jurisprudence with regard to the construal of the concept of a crime (*actus reus*, *mens rea*, defences, modes of liability) and exposes roots of confusion in international criminal law through a comprehensive comparative analysis of substantive criminal laws in selected legal jurisdictions.

Human rights and criminal procedure

International crimes, such as genocide and crimes against humanity, are complex and difficult to prove, so their prosecutions are costly and time-consuming. As a consequence, international tribunals and domestic bodies have recently made greater use of guilty pleas, many of which have been secured through plea bargaining. This book examines those guilty pleas and the methods used to obtain them, presenting analyses of practices in Sierra Leone, East Timor, Cambodia, Argentina, Bosnia, and Rwanda. Although current plea bargaining practices may be theoretically unsupportable and can give rise to severe victim dissatisfaction, the author argues that the practice is justified as a means of increasing the proportion of international offenders who can be prosecuted. She then incorporates principles drawn from the domestic practice of restorative justice to construct a model guilty plea system to be used for international crimes.

Pluralism in International Criminal Law

"The ambitious aim of the work is to create a guiding framework for international criminal procedural law and practices in the future. As explained by the working groups, the overarching objective of the project is to assist the challenge of delivering fair but also effective trials". -- FOREWORD.

Prosecuting Conflict-related Sexual Violence at the ICTY

BiLaw and International Criminal Law: Towards Interdisciplinary Synergies investigates the foundational, conceptual and interdisciplinary aspects of an emerging field: International Criminal BiLaw.

The Fundamental Concept of Crime in International Criminal Law

Several war crimes trials are well-known to scholars, but others have received far less attention. This book assesses a number of these little-studied trials to recognise institutional innovations, clarify doctrinal debates, and identify their general relevance to the development of international criminal law.

Guilty Pleas in International Criminal Law

This book examines how historical narratives of mass atrocities are constructed and contested within international criminal courts. In particular, it looks into the important question of what tends to be foregrounded, and what tends to be excluded, in these narratives.

International Criminal Procedure

This title covers the history, nature, and sources of international criminal law; the *ratione personae*; *ratione materiae* - sources of substantive international criminal law; the indirect enforcement system; the direct enforcement system; and much more.

Biolaw and International Criminal Law

This book argues for a more moderate approach to history-writing in international criminal adjudication by articulating the elements of a “responsible history” normative framework. The question of whether international criminal courts and tribunals (ICTs) ought to write historical narratives has gained renewed relevance in the context of the recent turn to history in international criminal law, the growing attention to the historical legacies of the *ad hoc* Tribunals and the minimal attention paid to historical context in the first judgment of the International Criminal Court. The starting point for this discussion is that, in cases of mass atrocities, prosecutors and judges are inevitably understood to be engaged in writing history and influencing collective memory, whether or not they so intend. Therefore, while writing history is an inescapable feature of ICTs, there is still today a significant lack of consensus over the proper place of this function. Since Hannah Arendt articulated her doctrine of strict legality, in response to the prosecutor’s expansive didactic approach in Eichmann, the legal debate on the subject has been largely polarised between restrictive and expansive approaches to history-writing in mass atrocity trials. What has been noticeably missing from this debate is the middle ground. The contribution this book seeks to make is precisely to articulate a framework that occupies that ground. The book asks: what are the lenses through which judges of ICTs interpret historical events, what kind of histories do ICTs write? and what kinds of histories should ICTs produce? Its arguments for a more moderate approach to history-writing are based on three distinct, but interrelated grounds: (1) Truth and Justice; (2) Right to Truth; and (3) Legal Epistemology. Different target audiences may benefit from this book. Court officials and legal practitioners may find the normative framework developed herein useful in addressing the tensions between the competing objectives of ICTs and, in particular, in assessing the value of the history-writing function. Lawyers, historians and other academics may also find the analysis of the strengths, constraints and blind spots of the historical narratives written by ICTs interesting. This issue is particularly timely in view of current debates on the legacies of ICTs. Aldo Zammit Borda is Director of the Centre for Access to Justice and Inclusion at Anglia Ruskin University, Cambridge, UK.

The Hidden Histories of War Crimes Trials

‘International Criminal Procedure, edited by two insiders to international criminal proceedings, Professor Linda Carter and Professor Fausto Pocar, a judge at the ICTY and a former President of this Tribunal, is a coherently organized, well-researched, very informative and not the least elegantly-written contribution to a young and rapidly developing legal sub-discipline. The book provides its reader with a highly accessible and up-to date introduction into key elements of international criminal procedure as well as with critical commentary and rich inspiration for improvements of current practices.’ – Claus Kreß LL.M. (Cantab.), University of Cologne, Germany and Institute for International Peace and Security Law ‘This book addresses compelling issues that have come before international criminal tribunals. They include the self-representation of accused persons, plea bargaining and victim participation. It usefully approaches all of the issues and problems from a comparative law perspective. This excellent and accessible work is essential reading for practitioners, faculty and students of international criminal law.’ – Richard Goldstone, Retired Justice of the Constitutional Court of South Africa and for Chief Prosecutor of the United Nations International Criminal Tribunals for the former Yugoslavia and Rwanda The emergence of international criminal courts, beginning with the International Criminal Tribunal for the former Yugoslavia and including the International Criminal Court, has also brought an evolving international criminal procedure. In this book, the authors examine selected issues that reflect a

blending of, or choice between, civil law and common law models of procedure. The issues include background on civil law and common law legal systems; plea bargaining; witness proofing; written and oral evidence; self-representation and the use of assigned, standby, and amicus counsel; the role of victims; and the right to appeal. International Criminal Procedure will appeal to academics, students, researchers, lawyers and judges working in the field of international criminal law.

Doing Justice to History

Weaponising Evidence provides the first analysis of the history of the international law on tobacco control. By relying on a vast set of empirical sources, it analyses the negotiation of the WHO Framework Convention on Tobacco Control (FCTC) and the tobacco control disputes lodged before the WTO and international investment tribunals (*Philip Morris v Uruguay* and *Australia - Plain Packaging*). The investigation focuses on two main threads: the instrumental use of international law in the warlike confrontation between the tobacco control advocates and the tobacco industry, and the use of evidence as a weapon in the conflict. The book unveils important lessons on the functioning of international organizations, the role of corporate actors and civil society organizations, and the importance and limits of science in law-making and litigation.

Introduction to International Criminal Law

This work deals with the exclusion of illicitly obtained evidence at the International Criminal Court. At the level of domestic law, the so-called exclusionary rule has always been a very prominent topic. The reason for this is that the way a court of law deals with tainted evidence pertains to a key aspect of procedural fairness. It concerns the balancing of the right to a fair trial with the interest of society in effective law enforcement. At the international level, however, the subject has not yet been discussed in detail. The present research intends to fill this gap. It provides an overview of the approaches of a number of domestic legal systems as well as of the approaches of the UN ad hoc tribunals and the European Court of Human Rights and uses the different perspectives to develop a version of the exclusionary rule which fits the International Criminal Court. The book is highly recommended for practitioners and researchers in the field of international criminal law and especially the law of international criminal evidence. Petra Viebig is a Public Prosecutor at the Staatsanwaltschaft Hamburg, Germany.

Histories Written by International Criminal Courts and Tribunals

Roberts and Zuckerman's *Criminal Evidence* is the eagerly-anticipated third of edition of the market-leading text on criminal evidence, fully revised to take account of developments in legislation, case-law, policy debates, and academic commentary during the decade since the previous edition was published. With an explicit focus on the rules and principles of criminal trial procedure, Roberts and Zuckerman's *Criminal Evidence* develops a coherent account of evidence law which is doctrinally detailed, securely grounded in a normative theoretical framework, and sensitive to the institutional and socio-legal factors shaping criminal litigation in practice. The book is designed to be accessible to the beginner, informative to the criminal court judge or legal practitioner, and thought-provoking to the advanced student and scholar: a textbook and monograph rolled into one. The book also provides an ideal disciplinary map and work of reference to introduce non-lawyers (including forensic scientists and other expert witnesses) to the foundational assumptions and technical intricacies of criminal trial procedure in England and Wales, and will be an invaluable resource for courts, lawyers and scholars in other jurisdictions seeking comparative insight and understanding of evidentiary regulation in the common law tradition.

International Criminal Procedure

This is the first in-depth study of the first three ICC trials: an engaging, accessible text meant for specialists and students, for legal advocates and a wide range of professionals concerned with diverse cultures, human rights, and restorative justice. Now with an updated postscript for the paperback edition, it offers a balanced view on persistent tensions and controversies. Separate chapters analyze the working realities of central African armed conflicts, finding reasons for their surprising resistance to ICC legal formulas. The book dissects the Court's structural dynamics, which were designed to steer an elusive middle course between high moral ideals and hard political realities. Detailed chapters provide vivid accounts of courtroom encounters with four Congolese suspects. The mixed record of convictions,

acquittals, dissents, and appeals, resulting from these trials, provides a map of distinct fault-lines within the ICC legal code, and suggests a rocky path ahead for the Court's next ventures.

Weaponising Evidence

Establishing individual criminal responsibility for mass atrocities is the foundational principle of international criminal justice, but this process is highly complex, and is accompanied by political and legal dilemmas about its operation. The book examines the drafting, interpretation, and application of the rules for assessing individual criminal responsibility as those rules emerge from the intense contestations among judges, lawyers, and academics within the legal field. Focusing on the International Criminal Court (ICC), the book provides a rich analysis of the international debates around questions of criminal responsibility by interrogating formal legal documents and legal scholarship alongside more candid accounts (interviews, memoirs, minutes). These debates are of key importance for international criminal law and global justice because how criminal responsibility laws are construed in practice determines which conduct merits punishment and, ultimately, demarcates the boundaries of what are considered the 'gravest' acts that 'shock' humanity.

Illicitly Obtained Evidence at the International Criminal Court

This Palgrave Handbook examines the ways in which researchers and practitioners theorise, analyse, produce and make use of testimony. It explores the full range of testimony in the public sphere, including perpetrator testimony, testimony presented through social media and virtual reality. A growing body of research shows how complex and multi-layered testimony can be, how much this complexity adds to our understanding of our past, and how creators and users of testimony have their own complex purposes. These advances indicate that many of our existing assumptions about testimony and models for working with it need to be revisited. The purpose of this Palgrave Handbook is to do just that by bringing together a wide range of disciplinary, theoretical, methodological, and practice-based perspectives.

Roberts & Zuckerman's Criminal Evidence

This collection takes a thematic and interpretive, system-wide and inter-jurisdictional comparative approach to the debates and controversies related to the growth of international courts and tribunals. By providing a synthetic overview and critical analysis of these developments from a variety of perspectives, it both contextualizes and stimulates future research and practice in this rapidly developing field.

The Congo Trials in the International Criminal Court

Since the 1980s, an array of legal and non-legal practices—labeled Transitional Justice—has been developed to support post-repressive, post-authoritarian, and post-conflict societies in dealing with their traumatic past. In *Understanding the Age of Transitional Justice*, the contributors analyze the processes, products, and efficacy of a number of transitional justice mechanisms and look at how genocide, mass political violence, and historical injustices are being institutionally addressed. They invite readers to speculate on what (else) the transcripts produced by these institutions tell us about the past and the present, calling attention to the influence of implicit history conveyed in the narratives that have gained an audience through international criminal tribunals, trials, and truth commissions. Nanci Adler has gathered leading specialists to scrutinize the responses to and effects of violent pasts that provide new perspectives for understanding and applying transitional justice mechanisms in an effort to stop the recycling of old repressions into new ones.

Responsibility on Trial

The Palgrave Handbook of Testimony and Culture