



## **TRANSITIONAL JUSTICE** **SYLLABUS**

Semester: Spring 2024

Course Number: 6930

Credits: 3

Days & Time: Tuesdays & Thursdays @ 1:45 pm – 3:10 pm

Location: Holland Hall 350

**Zachary D. Kaufman, J.D., Ph.D.**

**Professor of Law**

Office Location: Holland Hall 332

Office Hours: (1) Mondays 3 pm – 4 pm (via Zoom), (2) Thursdays 3:20 pm – 4:20 pm (in person), and (3) by appointment (via Zoom or in person)

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### **I. COURSE INFORMATION**

#### **A. COURSE DESCRIPTION**

Atrocity crimes—including genocide, war crimes, and crimes against humanity—continue to rage around the world. “Transitional justice” refers to both the process and objectives of societies addressing these past or ongoing offenses and other serious human rights violations.

This course examines origins, operations, and outcomes of such historical and contemporary transitional justice mechanisms. We will consider the full range of judicial, legislative, and executive options available to policymakers as societies undergo or emerge from periods of violence and repression. These mechanisms include war crimes tribunals (such as the International Criminal Court), truth commissions, amnesties, lustration, exile, indefinite detention, lethal force, and inaction.

This course draws on key case studies, including present-day Ukraine, Syria, and Myanmar; Rwanda and the Balkans in the 1990s; and World War II. Readings address the legal, political, and philosophical underpinnings of transitional justice; questions of institutional design; and how different societies have balanced competing legal, policy, and moral imperatives. The course also examines critiques and limitations of the field of transitional justice.

**B. LEARNING OUTCOMES**

By the end of the course, you will:

- Appreciate much of the seminal literature on the history and theories of transitional justice;
- Comprehend the objectives, obstacles, options, and outcomes of transitional justice;
- Grasp and be able to critically analyze key concepts and debates in transitional justice;
- Understand and have evaluated, compared, and contrasted key case studies; and
- Be able to apply your skills and knowledge to other case studies.

**C. CLASS SURVEY**

So that I may get to know you better, by January 15 please fill out [this Google form](#).

**D. SUBJECT MATTER**

In this course we will study difficult material. This course focuses on transitional justice for atrocity crimes, including genocide, war crimes, and crimes against humanity. We will read and discuss material that addresses troubling topics, such as killing, torture, human experimentation, rape and other sexual offenses, child and elder abuse, and racial and other types of discrimination. It is essential for everyone in the class to communicate with the thoughtfulness, sensitivity, and care that these topics warrant. I will do my best for such communication, and I ask you to do the same. Please let me know privately if you have concerns about participating in discussion of a particular topic.

**E. COMMUNICATION AND OFFICE HOURS**

My primary means of communicating with you outside of class will be by email and by posts on our course's Canvas site. You are expected to check your email and Canvas and are responsible for any announcements or assignments I send via email or post on Canvas.

I am happy to answer questions by email if they are short or related to class logistics. I will do my best to respond to all questions within three business days. Substantive course-related questions are typically best addressed in office hours. During office hours I'm also happy to discuss course-related issues in the news, provide career advice, and talk about clerkships, public service, law firms and other opportunities in the private sector, or anything else you find interesting and productive.

When emailing me about meeting or for any other purpose, please include the abbreviated bracketed course name—"[TJ]"—at the beginning of a descriptive subject header. For example, if emailing me a note that you must miss a class due to illness, your subject header would be something like: "[TJ] Upcoming Absence due to Illness."

I will hold office hours at the times listed at the beginning of this document. You may schedule appointments via email and you may do so alone or in groups. Please be respectful of your classmates by promptly cancelling any appointment you do not intend to keep.

If you cannot meet during my regular office hours, I would be glad to find an alternative time. Please email me and include several options when you are available to meet.

## **F. STUDENT COURSE EVALUATIONS**

Your feedback about the course is important and greatly appreciated. You are expected to provide professional and respectful feedback on the quality of instruction in this course. Please click [here](#) for guidance on how to provide feedback in a professional and respectful manner.

You will have two opportunities to provide feedback formally: a mid-term evaluation that I will administer and a final evaluation that UF will administer. For the mid-term evaluation, you will be notified when the evaluation period opens and you may complete evaluations through the Google Form I will provide. For the final evaluation, you will be notified when the evaluation period opens and you may complete evaluations through the email you receive from GatorEvals, in your Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of courses' final evaluation results are available at: <https://gatorevals.aa.ufl.edu/public-results/>.

In addition, please email me or visit my office hours to provide any additional feedback.

## **G. COURSE EXPECTATIONS AND REQUIREMENTS**

The expectations and requirements for this course are as follows:

- Compliance with the University of Florida Levin College of Law Honor Code: Academic honesty and integrity are fundamental values of the University of Florida (UF) community. The UF Levin College of Law (UF Law) Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so. When using artificial intelligence, you must provide proper attribution to it. You are required to read and understand the UF Law Student Honor Code, which is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honorcode-and-committee/honor-code>. If you have any questions about the UF Law Student Honor Code, please let me know.
- Canvas Registration: You are required to register for the Canvas site for this course.
- Checking Canvas and Email: To ensure that you receive any class announcements or adjustments, you are required to check this course's Canvas page and read this course's email messages at least 3 weekdays per week.
- Class Attendance:
  - Requirement: Students are expected to attend and participate in class. I assume that each student enrolled in this course is committing to attend every class to the best of their abilities. Class attendance is required by both the American Bar Association (ABA) and UF Law. Attendance will be taken at each class session. You are responsible for ensuring the recording of your own attendance. You may not record attendance for another student. UF Law's policy on attendance is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>. A student who fails to meet this attendance requirement will be dropped from this course.
  - Timeliness: As a matter of professionalism, you are expected to be on time for class—meaning seated and ready to begin when class starts. Arriving late is disruptive not only to me, but also to your classmates. Please do not arrive late to class or leave early absent extenuating circumstances. If you need to do so, please notify me in advance and sit near an exit to minimize your disruption to others. Late arrivals may be treated as absences.

- Exception #1: 2 Absences for Any Reason: To allow for exigencies in life, you are permitted two class absences—for any reason—without impacting your final grade. If possible, professional courtesy encourages you to notify me if you will not be in class. Please let me know if you have a family or health situation or emergency that will require missing more than two classes, and we will discuss how to accommodate you.
- Exception #2: Absences for Illness: Please do not attend class if you are ill. All absences for illness are excused. The two-absence-for-any-reason policy does not apply to illness.
- Exception #3: Absences for Religious Holidays: UF Law respects students' observance of religious holidays (<https://catalog.ufl.edu/ugrad/1617/regulations/info/attendance.aspx>). All absences for religious holidays are excused. The two-absence-for-any-reason policy does not apply to religious holidays.
  - Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
  - Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
  - Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.
- Grading and Credit: For each unexcused absence beyond two, and not including absences for illness or religious holidays, your grade will be lowered by one-third of a grade (e.g., A- to B+). If you miss three or more scheduled classes without my explicit permission (again, not including absences for illness or religious holidays), I have the discretion to render you ineligible to receive credit for the course. This policy starts on the first day of classes, not the end of the add/drop period.
- Class Preparation and Participation: Preparation for and participation in class discussion are necessary both for your own understanding of the material and for the benefit of your classmates. You are expected to be prepared for every class, which means (1) having read or viewed and being ready to discuss the material assigned for that class and (2) having the assigned material available during class in hard copy or electronic format in case we make reference to particular parts. If, for any reason, you are not prepared for a class, please let me know at least 2 hours in advance via email and I will not call on you that day. Being unprepared without permission more than 2 times during the semester will affect your grade.
  - ABA Out-of-Class Hours Requirement: American Bar Association Standard 310 requires that students devote at least 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Each class is approximately 1 hour and 25 minutes in length, requiring at least 2 hours and 50 minutes of preparation outside of class. Such preparation includes reading or viewing the assigned materials.
  - In-class engagement: During class, I will call on members of the student panel assigned for that class and I will solicit volunteers from among all students in the course. I expect that you will speak multiple times throughout the course. Learning in this course is a collaborative process. Each student's contributions will be important and valuable for our discussion.
    - Discourse and the Classroom: As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical

evaluation while also demonstrating civility and respect for others, including your classmates, any guest speakers, and me. This is even more important in the case of controversial issues and other topics that may elicit strong emotions, as is the case in this course. The most productive discussions develop from students sharing contrasting opinions in a civil, respectful manner. Each class member is entitled to your respect, and to a presumption that their views are being offered in good faith—even if they are views with which you sharply disagree.

- In-class simulation: Towards the end of the course, we will hold an in-class simulation. Details will be provided closer to that time. Your participation in this simulation will count towards your overall participation grade.
- Technology: To avoid distractions during class, please do not use laptops or any other electronic devices (including tablets and mobile phones) for anything other than class purposes and please silence your mobile phone. You should not use class time to check email, engage in text conversations, browse the Internet, or otherwise use electronic devices in a manner that distracts you or others from class.
- Grading: While your grade is mostly based on the exam, exceptional performance in class discussion can raise your grade one-third of a grade (e.g., B+ to A-) and poor performance can lower it one-third of a grade (e.g., A- to B+).
- Chatham House Rule on Discussion and Attribution: Classroom discussions are subject to the Chatham House rule: participants are free to use the information received, but neither the identity nor the affiliation of the speakers, nor that of any other participant, may be revealed. This rule, which applies to students and any guest speakers, is meant to encourage frank discussion and allow students and guest speakers to try out arguments. Robust but respectful debate is encouraged. You may not post online or otherwise share recordings, screenshots, classmates’ remarks, or any other class content. If you have any questions or concerns about class discussions—or feel in any way uncomfortable speaking in class for any reason—please contact me.

**H. GRADING**

- UF Law Grading Policies: UF Law’s mean and mandatory distributions are posted on the College’s website and this course adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

| Letter Grade     | Point Equivalent |
|------------------|------------------|
| A (Excellent)    | 4.0              |
| A-               | 3.67             |
| B+               | 3.33             |
| B                | 3.0              |
| B-               | 2.67             |
| C+               | 2.33             |
| C (Satisfactory) | 2.0              |
| C-               | 1.67             |
| D+               | 1.33             |
| D (Poor)         | 1.0              |
| D-               | 0.67             |
| E (Failure)      | 0.0              |

UF Law’s grading policies are available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>.

- **Your Grade:** Your grade will be based upon attendance, participation, and the exam in the following proportion:

| Class Component              | Percent of Grade |
|------------------------------|------------------|
| Attendance and Participation | 20%              |
| Exam                         | 80%              |
| TOTAL                        | 100%             |

As part of your attendance and participation, I reserve the right to deduct points from your final grade if you engage in behavior that significantly disrupts the learning environment for your classmates, such as (1) arriving late to class, (2) leaving class early, (3) not silencing your mobile phone, (4) using any electronic devices for purposes unrelated to class, or (5) uncivil, disrespectful, or insensitive commentary or behavior that chills classroom discussion.

- **Exam:** Your grade will be based primarily on an exam at the end of the semester.
  - This exam will be “limited open book.”
    - You **must ONLY use** material for this course. Accordingly, you **are permitted** to consult the syllabus’s two required books, other assigned readings, slides and other course materials that you downloaded from our course’s site on Canvas, your class notes, and any outline or other materials that you helped to prepare.
      - **Note:** You should download any permissible materials prior to the exam.
    - You **must NOT use** any other materials. Accordingly, you **are NOT permitted** to consult other people, the Internet, outlines that you did not help to prepare (including commercial outlines or outlines prepared by other students without your help), artificial intelligence, or any other online or offline sources.
  - All answers must be exclusively your own work. You may not consult with others about the exam once the exam period has started. You may not use artificial intelligence during the exam.
  - The exam will be comprehensive: anything assigned for class or discussed during class may be tested.
  - The exam will test:
    - your understanding of legal rules and principles as well as policy considerations, and
    - your ability to apply such law and policy in new contexts and to critically analyze legal problems.
  - I will discuss the exam in class at an appropriate point. I won’t talk about the details of the exam in nonpublic settings where the whole class doesn’t have the option to be present (such as in office hours).

- UF Law’s policy on exam delays and accommodations is available at: <http://www.law.ufl.edu/student-affairs/current-students/forms-applications/exam-delays-accommodations-form>.

## **I. ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES**

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may obtain information about various resources on UF Law’s Student Resources Canvas page, which is available at <https://ufl.instructure.com/courses/427635>.

## **J. CLASS RECORDINGS**

- University Recordings: All class sessions will be recorded via Mediasite for students to view in case they must miss class for health or religious reasons. The Office of Student Affairs will work with faculty to determine when students may have access to these recordings, and the recordings will be password protected. It is the student’s responsibility to contact the Office of Student Affairs as soon as possible after an absence to initiate this process.
- Student Recordings: Florida law permits all students to make their own video and/or audio recordings of all “class lectures,” and professors may not prohibit or interfere with such recordings. A “class lecture” is defined as an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A “class lecture” does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session. Student may use such recordings only for the following purposes: (1) their own educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited, and students may not “publish” recorded lectures without the written consent of the instructor. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code. “Publish” is defined as sharing, transmitting, circulating, distributing, or providing access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services.



**K. HEALTH AND WELLNESS RESOURCES**

Law school can be a daunting experience, especially when life outside the law school becomes challenging. UF Law provides numerous resources for your support, and I encourage you to seek help if you have concerns. If you are comfortable doing so, you may also notify me so that I can direct you to further resources. UF Law’s health and wellness resources are available at: <https://www.law.ufl.edu/wellness-at-uf-law>.

**L. UF LAW STANDARD SYLLABUS POLICIES**

Other information about UF Law’s policies—including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations—is available at: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

**M. COURSE MATERIALS**

**1. Required Coursebooks**

- GARY JONATHAN BASS, *STAY THE HAND OF VENGEANCE: THE POLITICS OF WAR CRIMES TRIBUNALS* (rev. ed. 2002) (hereinafter “BASS”).
  - ISBN: 9780691092782.
- ZACHARY D. KAUFMAN, *UNITED STATES LAW AND POLICY ON TRANSITIONAL JUSTICE: PRINCIPLES, POLITICS, AND PRAGMATICS* (rev. ed. 2017) (hereinafter “KAUFMAN”).
  - ISBN: 9780190655488.

**2. Canvas:** I will post some course materials to Canvas.

**3. Online:** Some course materials are available publicly online. For those materials, I provide a hyperlink in their listing below.



## II. SCHEDULE

- This syllabus features 26 class sessions.
- The exact or approximate number of pages of each required reading assignment is noted in parentheses after each listing.
- I may adjust the syllabus to accommodate our pace, to incorporate relevant news items, to accommodate a guest speaker’s availability, or in response to unforeseen developments. I will announce any such changes promptly and will post an updated syllabus to Canvas. If we do not complete material during the designated class, you should expect that we will return to it in the following class.

| Class Session   | Date                    | Topic(s)   | Assignment(s)   |
|-----------------|-------------------------|--|---|
| <b>OVERVIEW</b> |                         |  |   |
| 1               | Tuesday,<br>January 16  | Welcome<br><br>Course Overview<br><br>Atrocity Crimes Overview:<br>Part 1 of 2                   | <ul style="list-style-type: none"> <li>• Syllabus (25).</li> <li>• <a href="#">Convention on the Prevention and Punishment of the Crime of Genocide</a> (“Genocide Convention”) (3).</li> </ul>   |
| 2               | Thursday,<br>January 18 | Atrocity Crimes Overview:<br>Part 2 of 2<br><br>Transitional Justice<br>Overview:<br>Part 1 of 2 | <p><u>Atrocity Crimes Overview</u></p> <ul style="list-style-type: none"> <li>• <a href="#">Rome Statute of the International Criminal Court</a>, articles 5, 6, 7, 8, and 8 <i>bis</i> (6).</li> <li>• David Scheffer, <i>Genocide and Atrocity Crimes</i>, 1 GENOCIDE STUDIES &amp; PREVENTION 229-50 (2006) (22) (Canvas).</li> <li>• David Scheffer, <i>The Merits of Unifying Terms: “Atrocity Crimes” and “Atrocity Laws,”</i> 2 GENOCIDE STUDIES &amp; PREVENTION 91-95 (2007) (5) (Canvas).</li> </ul> <p><u>Transitional Justice Overview</u></p> <ul style="list-style-type: none"> <li>• Phil Clark, <i>Establishing a Conceptual Framework: Six Key Transitional Justice Themes</i>, in AFTER GENOCIDE: TRANSITIONAL JUSTICE, POST-CONFLICT RECONSTRUCTION, AND RECONCILIATION IN RWANDA AND BEYOND 191-205 (Phil Clark &amp; Zachary D. Kaufman eds., 2009) (15) (Canvas).</li> <li>• Phil Clark, Zachary D. Kaufman &amp; Kalypso Nicolaidis, <a href="#">Tensions in Transitional Justice</a>, in AFTER GENOCIDE: TRANSITIONAL JUSTICE, POST-CONFLICT RECONSTRUCTION, AND RECONCILIATION IN RWANDA AND BEYOND 381-91 (Phil Clark &amp; Zachary D. Kaufman eds., 2009) (11).</li> </ul> |
| 3               | Tuesday,<br>January 23  | Transitional Justice<br>Overview:<br>Part 2 of 2   | <ul style="list-style-type: none"> <li>• BASS 3-36 (Chapter 1: “Introduction”) (34).</li> <li>• KAUFMAN 1-40 (Chapter 1: “Introduction”; Chapter 2: “Overview of Transitional Justice Options and the United States Role in Transitional Justice”) (40).</li> </ul>   |

| ATROCITY PREVENTION |                         |  |   |
|---------------------|-------------------------|--|---|
| 4                   | Thursday,<br>January 25 | Atrocity Prevention<br>Overview  | <ul style="list-style-type: none"> <li>MADELEINE K. ALBRIGHT &amp; WILLIAM S. COHEN, <a href="#">PREVENTING GENOCIDE: A BLUEPRINT FOR U.S. POLICYMAKERS</a> XV-XXIV; 55-114 (2008) (74).</li> </ul>   |
| 5                   | Tuesday,<br>January 30  | Foreign Policy on<br>Transitional Justice  | <ul style="list-style-type: none"> <li>ANNIE R. BIRD, US FOREIGN POLICY ON TRANSITIONAL JUSTICE 1-29 (2015) (“Introduction” and Chapter 1: “The US Approach to Transitional Justice”) (30) (Canvas).</li> <li>KAUFMAN 41-63 (Chapter 3: “Competing Theories of United States Policy on Transitional Justice: Legalism Versus Prudentialism”) (23).</li> </ul>   |
| 6                   | Thursday,<br>February 1 | Executive Branch Tools to<br>Prevent Atrocity Crimes and<br>Promote Transitional Justice   | <ul style="list-style-type: none"> <li><a href="#">Presidential Study Directive on Mass Atrocities</a> (Aug. 4, 2011) (4).</li> <li>JOHN NORRIS &amp; ANNIE MALKNECHT, <a href="#">ATROCITIES PREVENTION BOARD: BACKGROUND, PERFORMANCE, AND OPTIONS</a> (2013) (42).</li> <li>James P. Finkel, <a href="#">Moving Beyond the Crossroads: Strengthening the Atrocity Prevention Board</a>, 9 GENOCIDE STUDIES &amp; PREVENTION 138-47 (2015) (10).</li> <li><a href="#">Executive Order – Comprehensive Approach to Atrocity Prevention and Response</a> (May 18, 2016) (6).</li> <li>Nadia Rubaii &amp; Max Pensky, <a href="#">The US Has Taken a Backseat on Preventing Genocide Since Well Before Trump Became President</a>, BUSINESS INSIDER, Aug. 13, 2017 (approximately 5).</li> </ul> |
| 7                   | Tuesday,<br>February 6  | Legislative Branch Tools to<br>Prevent Atrocity Crimes and<br>Promote Transitional Justice | <ul style="list-style-type: none"> <li>Zachary D. Kaufman, <a href="#">Legislating Atrocity Prevention</a>, 57 HARVARD JOURNAL ON LEGISLATION 163 (2020) (56).</li> <li><a href="#">Elie Wiesel Genocide and Atrocities Prevention Act of 2018</a>, Pub. L. No. 115-441, 132 Stat. 5586 (2019) (4).</li> <li><a href="#">John S. McCain National Defense Authorization Act for Fiscal Year 2019</a>, Pub. L. No. 115-232, 132 Stat. 1636 (2018) (only section 1232: Syrian War Crimes Accountability) (4).</li> </ul>   |

| CASE STUDIES |  |   |   |
|--------------|--|---|---|
| 8            | Thursday,<br>February 8                  | Transitional Justice Before<br>and For WWI  | <ul style="list-style-type: none"> <li>• BASS 37-105 (Chapter 2: “St. Helena” &amp; Chapter 3: “Leipzig”) (69).</li> <li>• JON ELSTER, CLOSING THE BOOKS: TRANSITIONAL JUSTICE IN HISTORICAL PERSPECTIVE 1-46 (2004) (Chapter 1: “Athens in 411 and 403 B.C.” and Chapter 2: “The French Restorations in 1814 and 1815”) (47) (Canvas) [hereinafter ELSTER].</li> </ul>   |
| 9            | Tuesday,<br>February 13                  | Transitional Justice for<br>WWII:<br>Nazi Germany   | <ul style="list-style-type: none"> <li>• BASS 147-205 (Chapter 5: “Nuremberg”) (58).</li> <li>• KAUFMAN 65-91 (Chapter 4: “The United States Role in Transitional Justice for Germany”) (27).</li> </ul>  |
| 10           | Thursday,<br>February 15                 | Transitional Justice for<br>WWII:<br>Imperial Japan   | <ul style="list-style-type: none"> <li>• ELSTER 47-78 (Chapter 3: “The Larger Universe of Cases”) (31) (Canvas).</li> <li>• KAUFMAN 93-120 (Chapter 5: “The United States Role in Transitional Justice for Japan”) (28).</li> </ul>   |
| 11           | Tuesday,<br>February 20                  | Transitional Justice for<br>Libya, Iraq, and the Balkans  | <ul style="list-style-type: none"> <li>• BASS 206-275 (Chapter 6: “The Hague”) (70).</li> <li>• KAUFMAN 121-158 (Chapter 6: “The United States Role in Transitional Justice for Libya, Iraq, and the Former Yugoslavia”) (38).</li> </ul>   |
| 12           | Thursday,<br>February 22                 | Transitional Justice for<br>Rwanda:<br>Part 1 of 3  | <ul style="list-style-type: none"> <li>• Samantha Power, <i>Bystanders to Genocide: Why the United States Let the Rwandan Tragedy Happen</i>, ATLANTIC MONTHLY, Sept. 2001, at 84-108 (25) (Canvas).</li> <li>• KAUFMAN 159-202 (Chapter 7: “The United States Role in Transitional Justice for Rwanda”) (44).</li> </ul>   |
| 13           | Tuesday,<br>February 27                  | Transitional Justice for<br>Rwanda:<br>Part 2 of 3<br><br><u>Guest Speaker:</u><br>Consolee Nishimwe                                      | <ul style="list-style-type: none"> <li>• PHIL CLARK: THE GACACA COURTS, POST-GENOCIDE JUSTICE AND RECONCILIATION IN RWANDA: JUSTICE WITHOUT LAWYERS 47-80 (2010) (33) (Canvas).</li> <li>• Zachary D. Kaufman, <a href="#"><i>Transitional Justice as Genocide Prevention: From a Culture of Impunity to a Culture of Accountability</i></a>, in CONFRONTING GENOCIDE IN RWANDA: DEHUMANIZATION, DENIAL, AND STRATEGIES FOR PREVENTION 363-78 (Jean-Damascène Gasanabo et al. eds. 2015) (16).</li> <li>• Zachary D. Kaufman, <a href="#"><i>Lessons from Rwanda: Post-Genocide Law and Policy</i></a>, STANFORD LAW &amp; POLICY REVIEW ONLINE (2019) (22).</li> </ul> |
| 14           | Thursday,<br>February<br>29 <sup>1</sup> | Commemorating the 75 <sup>th</sup><br>Anniversary of the Genocide<br>Convention<br><br><u>Guest Speaker:</u><br>Professor Melanie O’Brien | <ul style="list-style-type: none"> <li>• N/A</li> </ul>   |
| 15           | Tuesday,<br>March 5                      | Transitional Justice for<br>Rwanda:<br>Part 3 of 3<br><br><u>Guest Speaker:</u><br>Pierre St. Hilaire                                     | <ul style="list-style-type: none"> <li>• N/A</li> </ul>   |

<sup>1</sup> Special Time and Place: 12 pm in Holland Hall 360.

|                                   |                      |  |  |
|-----------------------------------|----------------------|--|--|
| 16                                | Thursday,<br>March 7 | Syria<br><br><u>Guest Speaker:</u><br>Kenan Rahmani        | <ul style="list-style-type: none"> <li>• Daniela Abratt, <i>U.S. Intervention in Syria: A Legal Responsibility to Protect?</i>, 95 DENVER LAW REVIEW 21 (2017) (51) (Canvas).</li> <li>• Annie Sparrow, <i>How UN Humanitarian Aid has Propped Up Assad</i>, FOREIGN AFFAIRS, Sept. 20, 2018 (5) (Canvas).</li> <li>• Mark Kersten, <i>Calls for Prosecuting War Crimes in Syria are Growing. Is International Justice Possible?</i>, WASHINGTON POST, Oct. 14, 2016. (4) (Canvas).</li> <li>• Roger Lu Phillips, <i>A Drop in the Ocean: A Preliminary Assessment of the Koblenz Trial on Syrian Torture</i>, JUST SECURITY, Apr. 22, 2021 (6).</li> <li>• Human Rights Watch, <i>Q&amp;A: First Syria State Torture Trial in Germany</i>, Jan. 6, 2022 (6).</li> </ul> |
| <b>SPRING BREAK (March 11-15)</b> |                      |  |  |
| 17                                | Tuesday,<br>March 19 | Ethiopia<br><br><u>Guest Speaker:</u><br>Meaza Gebremedhin | <ul style="list-style-type: none"> <li>• MARTIN PLAUT &amp; SARAH VAUGHAN, UNDERSTANDING ETHIOPIA’S TIGRAY WAR 1-14, 341-54 (2023) (28) (Canvas).</li> </ul>   |

| TRANSITIONAL JUSTICE INNOVATIONS AND ALTERNATIVES |                       |   |  |
|---|-----------------------|---|--|
| 18  | Thursday,<br>March 21 | International Criminal Court:<br>Part 1 of 3  | <ul style="list-style-type: none"> <li>• <a href="#">Rome Statute of the International Criminal Court</a>, preamble and articles 1-4, 11-14, 16, 17, 34, 77, 79, 86, 112, 115-16, 121, 125-27 (12).</li> <li>• International Criminal Court, <a href="#">How the Court Works</a> (5).</li> <li>• DAVID BOSCO, ROUGH JUSTICE: THE INTERNATIONAL CRIMINAL COURT IN A WORLD OF POWER POLITICS 1 – 22; 177 – 89 (2014) (35) (Canvas).</li> <li>• WILLIAM A. SCHABAS, AN INTRODUCTION TO THE INTERNATIONAL CRIMINAL COURT vii – xiii; 1-45 (6th ed. 2020) (Preface; Chapter 1: “Creation of the Court”; Chapter 2: “The Court Becomes Operational”) (51) (Canvas).</li> </ul>   |
| 19  | Tuesday,<br>March 26  | International Criminal Court:<br>Part 2 of 3<br><br><u>Guest Speaker:</u><br>Ari Bassin | <p><u>U.S. Department of State Office of Global Criminal Justice – Transitional Justice Policy Paper Series</u></p> <ul style="list-style-type: none"> <li>• All 6 papers posted <a href="#">here</a> (18).</li> </ul> <p><u>International Criminal Court</u></p> <ul style="list-style-type: none"> <li>• John R. Bolton, <i>The Risks and Weaknesses of the International Criminal Court from America’s Perspective</i>, 64 LAW &amp; CONTEMPORARY PROBLEMS 167-80 (2001) (14) (Canvas).</li> <li>• Jack Goldsmith, <i>The Self-Defeating International Criminal Court</i>, 70 UNIVERSITY OF CHICAGO LAW REVIEW 89-104 (2003) (16) (Canvas).</li> <li>• Douglas Guilfoyle, <a href="#">Reforming the International Criminal Court: Is it Time for the Assembly of State Parties to be the Adults in the Room?</a>, EJIL: Talk! (May 8, 2019) (7).</li> <li>• Raad Al Hussein et al., <a href="#">The International Criminal Court Needs Fixing</a>, Atlantic Council (Apr. 24, 2019), (2).</li> <li>• <i>The International Criminal Court on Trial: A Conversation with Fatou Bensouda</i>, FOREIGN AFFAIRS, Jan.-Feb. 2017, at 48-53 (6) (Canvas).</li> <li>• Paul Nantulya, <a href="#">What’s Next for Africa and the International Criminal Court</a>, Africa Center for Strategic Studies, Dec. 7, 2017 (5).</li> <li>• Alette Smeulers, <a href="#">The ICC Fails to Deter When Deterrence is Needed Most</a>, Apr. 1, 2016 (3).</li> <li>• Beth Van Schaack, <a href="#">Statement of the United States at the 21st Session of the Assembly of States Parties of the International Criminal Court</a>, U.S. Dep’t of State (Dec. 6, 2022) (3).</li> </ul> |

|    |                       |  |  |
|----|-----------------------|--|--|
| 20 | Thursday,<br>March 28 | International Criminal Court:<br>Part 3 of 3 | <p><u>Aggression</u></p> <ul style="list-style-type: none"> <li>• Zachary D. Kaufman, <a href="#">The United States, Syria, and the International Criminal Court: Implications of the Rome Statute's Aggression Amendment</a>, 55 HARVARD INTERNATIONAL LAW JOURNAL ONLINE 35 – 44 (2013) (10).</li> <li>• Beth Van Schaack, <a href="#">Negotiating at the Interface of Power and Law: The Crime of Aggression</a>, 49 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 505 (2011) (Canvas) (28 – skip footnotes).</li> <li>• Alex Whiting, <a href="#">Crime of Aggression Activated at the ICC: Does it Matter?</a>, JUST SECURITY (Dec. 19, 2017), (approximately 3).</li> </ul> <p><u>Afghanistan</u></p> <ul style="list-style-type: none"> <li>• John Bolton, Opinion, <a href="#">The Hague Aims for U.S. Soldiers</a>, WALL STREET JOURNAL, Nov. 21, 2017, at A17 (Canvas) (2).</li> <li>• Kip Hale, <a href="#">Why the U.S. Can No Longer Ignore the ICC</a>, FOREIGN AFFAIRS, Nov. 16, 2017 (Canvas) (2).</li> <li>• Michael R. Pompeo, Opinion, <a href="#">Secretary of State Pompeo: US Will Protect Citizens and Defend Sovereignty against International Court</a>, FOX NEWS (Sept. 18, 2020) (approximately 3).</li> <li>• Stephen Pomper, <a href="#">The Int'l Criminal Court's Case Against the United States in Afghanistan: How it Happened and What the Future Holds</a>, JUST SECURITY (Nov. 13, 2017) (approximately 4).</li> <li>• Stephen Pomper, <a href="#">USG Statement on Int'l Criminal Court Probe into Alleged U.S. War Crimes is Missing Some Things</a>, JUST SECURITY (Dec. 14, 2017) (approximately 5).</li> <li>• Brett Schaefer, <a href="#">How the U.S. Should Respond</a>, Nov. 15, 2017, (approximately 3).</li> <li>• <a href="#">Statement on Behalf of the United States of America</a>, 16<sup>th</sup> Session of the Assembly of States Parties, Dec. 8, 2017 (2).</li> <li>• Morse Tan, Opinion, <a href="#">Americans Can be Proud of Our Record on Promoting Global Justice</a>, THE HILL (Sept. 18, 2020) (approximately 3).</li> <li>• Pranshu Verma, <a href="#">Trump's Sanctions on International Court May Do Little Beyond Alienating Allies</a>, NEW YORK TIMES (Oct. 18, 2020), (approximately 5).</li> </ul> |
|----|-----------------------|--|--|

|    |                      |  |  |
|----|----------------------|--|--|
| 21 | Tuesday,<br>April 2  | Hybrid Tribunals   | <ul style="list-style-type: none"> <li>•David Cohen, “Hybrid” Justice in East Timor, Sierra Leone, and Cambodia: “Lessons Learned” and Prospects for the Future, 43 STANFORD JOURNAL OF INTERNATIONAL LAW 1-38 (2007) (Canvas) (38).</li> <li>•Laura Dickinson, <i>The Promise of Hybrid Courts</i>, 97 AMERICAN JOURNAL OF INTERNATIONAL LAW 295-310 (2003) (Canvas) (16).</li> <li>•Mark Kersten, <i>Calls for Prosecuting War Crimes in Syria are Growing. Is International Justice Possible?</i>, WASHINGTON POST, Oct. 14, 2016. (Canvas) (4).</li> <li>•Seth Mydans, <i>11 Years, \$300 Million and 3 Convictions. Was the Khmer Rouge Tribunal Worth It?</i>, NEW YORK TIMES, Apr. 10, 2017, at A5. (Canvas) (4)</li> <li>•Seth Mydans, <i>Judges Split on Whether Cambodia Tribunal Can Pursue Khmer Rouge Commander</i>, NEW YORK TIMES, Nov. 28, 2018, at A6. (Canvas) (4)</li> <li>•Sarah Williams, <i>Hybrid Tribunals: A Time for Reflections</i>, 10 INTERNATIONAL JOURNAL OF TRANSITIONAL JUSTICE 538-47 (2016) (Canvas) (10).</li> </ul>   |
| 22 | Thursday,<br>April 4 | Universal Jurisdiction<br><br>Truth Commissions<br><br>International Citizens’<br>Tribunals<br><br>Amnesty | <p><u>Universal Jurisdiction</u></p> <ul style="list-style-type: none"> <li>•Henry A. Kissinger, <i>The Pitfalls of Universal Jurisdiction: Risking Judicial Tyranny</i>, FOREIGN AFFAIRS, July-Aug. 2001, at 86-96 (11) (Canvas).</li> <li>•Kenneth Roth, <i>The Case for Universal Jurisdiction</i>, FOREIGN AFFAIRS, Sept-Oct. 2001, at 150-54 (5) (Canvas).</li> <li>•Louise Arbour, <i>Will the ICC Have an Impact on Universal Jurisdiction?</i>, 1 JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE 585-88 (2003) (4) (Canvas).</li> <li>•Zachary D. Kaufman, <a href="#">Jesner v. Arab Bank: U.S. Foreign Policy and National Security Interests</a>, JUST SECURITY, Oct. 11, 2017 (4).</li> <li>•Rick Gladstone, <a href="#">An Old Legal Doctrine that Puts War Criminals in the Reach of Justice</a>, NEW YORK TIMES, Feb. 28, 2021 (3).</li> </ul> <p><u>Truth Commissions:</u></p> <ul style="list-style-type: none"> <li>•PRISCILLA B. HAYNER, UNSPEAKABLE TRUTHS: TRANSITIONAL JUSTICE AND THE CHALLENGE OF TRUTH COMMISSIONS xi-xvi; 1-44 (2d ed. 2011) (50) (Canvas).</li> </ul> <p><u>International Citizens’ Tribunals:</u></p> <ul style="list-style-type: none"> <li>•Zachary D. Kaufman, <a href="#">Transitional Justice Delayed is not Transitional Justice Denied: Contemporary Confrontation of Japanese Human Experimentation During World War II Through a People’s Tribunal</a>, in PEOPLE’S TRIBUNALS, HUMAN RIGHTS, AND THE LAW: SEARCHING FOR JUSTICE 163 (Regina Menachery Paulose ed., 2020) (25).</li> </ul> <p><u>Amnesty:</u></p> <ul style="list-style-type: none"> <li>• Jay Butler, <i>Amnesty for Even the Worst Offenders</i>, 95 WASHINGTON UNIVERSITY LAW REVIEW 589 (2017) (skip footnotes) (18) (Canvas).</li> </ul> |



| FURTHER CONSIDERATIONS |                       |   |  |
|------------------------|-----------------------|---|--|
| 23                     | Tuesday,<br>April 9   | Digital Open Source<br>Investigations<br><br><u>Guest Speaker:</u><br>Lindsay Freeman | <ul style="list-style-type: none"> <li>• Lindsay Freeman, <i>Prosecuting Atrocity Crimes with Open Source Evidence</i>, in DIGITAL WITNESS (Sam Dubberley, Alexa Koenig &amp; Daragh Murray eds. 2020) (36) (Canvas).</li> <li>• UNITED NATIONS OFFICE OF THE UNITED NATIONS HIGH COMMISSION FOR HUMAN RIGHTS &amp; UNIVERSITY OF CALIFORNIA, BERKELEY, SCHOOL OF LAW HUMAN RIGHTS CENTER, <a href="#">BERKELEY PROTOCOL ON DIGITAL OPEN SOURCE INVESTIGATIONS</a> 1-14; 43-49 (2020) (21).</li> </ul> |
| 24                     | Thursday,<br>April 11 | Assessment of<br>Transitional Justice<br><br>Bystanders and Upstanders                | <ul style="list-style-type: none"> <li>• TBD</li> </ul>  |
| SIMULATION             |                       |   |  |
| 25                     | Tuesday,<br>April 16  | Simulation:<br>Part 1 of 2  | <ul style="list-style-type: none"> <li>• Simulation materials (Canvas – to be posted).</li> </ul>  |
| 26                     | Thursday,<br>April 18 | Simulation:<br>Part 2 of 2  | <ul style="list-style-type: none"> <li>• Simulation materials (Canvas – to be posted).</li> </ul>  |

### III. ADDITIONAL RESOURCES

#### A. JOURNALS

Below is a selected list of journals related to this course.

- *African Affairs*
- *Africa Confidential*
- *African Research Bulletin*
- *African Security Review*
- *African Studies Quarterly*
- *American Journal of International Law*
- *Criminal Law Forum*
- *Development and Change*
- *European Journal of International Law*
- *Foreign Affairs*
- *Foreign Policy*
- *Genocide Studies and Prevention*
- *Holocaust and Genocide Studies*
- *Human Rights Law Review*
- *Human Rights Quarterly*
- *International Affairs*
- *International Criminal Law Review*
- *International Journal of Human Rights*
- *International Journal of Transitional Justice*
- *International Justice Tribune*
- *International Organization*
- *International Security*
- *Journal of Asian and African Studies (after 2002, African and Asian Studies)*
- *Journal of Conflict and Security Law*
- *Journal of Conflict Studies*
- *Journal of Contemporary African Studies*
- *Journal of Genocide Research*
- *Journal of Human Rights*
- *Journal of International Criminal Justice*
- *Journal of Modern African Studies*
- *Review of African Political Economy*
- *Survival*
- *Third World Quarterly*
- *Transitional Justice Review*
- *World Politics*

**B. FILMS**

Below is a selected list of films related to this course.

| Topic   | Film Title  | Film Year                  |
|---|---|----------------------------|
| Armenia   | The Armenian Genocide                                     | 2006                       |
|   | Intent to Destroy   | 2017                       |
|   | The Promise   | 2016                       |
| Germany /<br>Nuremberg Tribunal (IMT)   | The Devil Next Door                                       | 2019                       |
|   | Good Evening, Mr. Wallenberg                              | 1990                       |
|   | Judgment at Nuremberg                                     | 1961                       |
|   | Nuremberg   | 2000                       |
|   | Nuremberg: Its Lesson for Today                           | 1946<br>(restored in 2010) |
|   | Nuremberg – Tyranny on Trial (History Channel)            | 1995                       |
|   | Nuremberg Trials  | 1947                       |
|   | Passage to Sweden   | 2021                       |
|   | Prosecuting Evil  | 2018                       |
|   | Schindler’s List  | 1993                       |
|   | Japan /<br>Tokyo Tribunal (IMTFE)                         | Men Behind the Sun         |
| Tokyo Trial   |   | 1983                       |
| Cambodia /<br>Extraordinary Chambers in<br>the Courts of Cambodia<br>(ECCC)               | Biography – Pol Pot: Secret Killer                        | 2006                       |
|   | First they Killed my Father                               | 2017                       |
|   | The Killing Fields  | 1984                       |
|   | S-21: The Khmer Rouge Killing Machine                     | 2002                       |
| Yugoslavia /<br>UN International Criminal<br>Tribunal for the former<br>Yugoslavia (ICTY) | Behind Enemy Lines  | 2001                       |
|   | Bringing Down a Dictator                                  | 2001                       |
|   | The Death of Yugoslavia                                   | 1995                       |
|   | Quo Vadis, Aida?  | 2020                       |
|   | Welcome to Sarajevo                                       | 1997                       |
| Rwanda /<br>UN International Criminal<br>Tribunal for Rwanda (ICTR)                       | 94 Terror   | 2018                       |
|   | 100 Days  | 2001                       |
|   | Beyond the Gates (also called Shooting Dogs)              | 2005                       |
|   | The Dead Are Alive: Eyewitness in Rwanda                  | 1996                       |
|   | Earth Made of Glass                                       | 2011                       |
|   | Gacaca, Living Together Again in Rwanda?                  | 2002                       |
|   | Ghosts of Rwanda (PBS)                                    | 2004                       |
|   | God Sleeps in Rwanda                                      | 2005                       |
|   | Hotel Rwanda  | 2004                       |
|   | Kinyarwanda   | 2011                       |
|   | The Last Just Man   | 2002                       |
|   | In Rwanda We Say... The Family that Does Not Speak dies   | 2004                       |
|   | Munyurangabo  | 2008                       |
|   | My Neighbor, My Killer                                    | 2009                       |
|   | The Notebooks of Memory                                   | 2009                       |
|   | Shake Hands with the Devil                                | 2010                       |
|   | Shake Hands with the Devil: The Journey of Romeo Dallaire | 2005                       |
|   | Sometimes in April  | 2005                       |
|   | A Sunday in Kigali  | 2006                       |
| The Triumph of Evil (Frontline)   | 1999  |                            |
| The Uncondemned   | 2016  |                            |

|   |   |      |
|---|---|------|
|   | When Good Men Do Nothing  | 1997 |
| International Criminal Court (ICC)                          | The Reckoning:<br>The Battle for the International Criminal Court       | 2009 |
| Sierra Leone /<br>Special Court for Sierra Leone (SCSL)     | War Don Don   | 2010 |
| South Africa /<br>Truth and Reconciliation Commission (TRC) | Confronting the Truth:<br>Truth Commissions and Societies in Transition | 2007 |
|   | Long Night's Journey into Day   | 2000 |
|   | Red Dust  | 2004 |
|   | Where the Truth Lies  | 1999 |
| Sudan   | The Devil Came on Horseback   | 2007 |
|   | Darfur Now  | 2007 |
|   | God Grew Tired of Us  | 2005 |
|   | Lost Boys of Sudan (POV)  | 2003 |
| Colombia  | When the Guns Go Silent   | 2017 |
| Uganda  | The Last King of Scotland   | 2006 |
| Chad  | Hissein Habré, a Chadian Tragedy  | 2017 |
| Indonesia   | The Act of Killing  | 2012 |
|   | The Look of Silence   | 2014 |
| Syria   | The Cave  | 2019 |
|   | For Sama  | 2019 |
|   | Hell on Earth:<br>The Fall of Syria and the Rise of ISIS                | 2017 |
|   | Last Men in Aleppo  | 2017 |
|   | Syria's Disappeared: The Case Against Assad                             | 2017 |
|   | The White Helmets   | 2016 |
| Iraq  | The Trial of Saddam Hussein   | 2007 |
| United States   | Dawnland  | 2018 |
| Argentina   | The Trial   | 2023 |

## **C. ORGANIZATIONS AND ELECTRONIC LISTSERVS**

Below is a selected list of organizations related to this course, many of which host electronic listservs to which you can subscribe or blogs you can read.

### 1. Governmental

- United States Army Peacekeeping and Stability Operations Institute
- United States Department of Homeland Security Human Rights Violators & War Crimes Center
- United States Department of Justice
  - Human Rights and Special Prosecutions Section
  - Office of Overseas Prosecutorial Development, Assistance, and Training
- United States Department of State
  - Bureau of African Affairs
  - Bureau of Conflict and Stabilization Operations
  - Bureau of Democracy, Human Rights, and Labor
  - Office of Global Criminal Justice
  - Office of the Legal Adviser
- U.S. Department of the Treasury Office of Foreign Assets Control
- U.S. Federal Bureau of Investigation International Human Rights Unit

### 2. Inter-Governmental

- United Nations
  - High Commissioner for Human Rights
  - High Commissioner for Refugees
  - Special Adviser on the Prevention of Genocide, Office of the Secretary-General
  - Special Adviser on the Responsibility to Protect, Office of the Secretary-General
- International Courts
  - Extraordinary Chambers in the Court of Cambodia
  - International Court of Justice
  - International Criminal Court
  - Mechanism for International Criminal Tribunals
  - Residual Special Court for Sierra Leone
  - Special Tribunal for Lebanon

### 3. Non-Governmental (Organizations and Blogs)

- Africa Action
- American Bar Association
  - Center for Human Rights
  - Rule of Law Initiative
  - Section of International Law
- American Society of International Law
- Amnesty International
- Bill & Melinda Gates Foundation
- Carnegie Endowment for International Peace

- Carter Center
- Center for Strategic and International Studies
- Clinton Foundation
- Coalition for the International Criminal Court
- Committee on Conscience, United States Holocaust Memorial Museum
- Council on Foreign Relations
- Duck of Minerva
- EJIL Talk!
- Enough: The Project to End Genocide and Crimes Against Humanity, Center for American Progress
- Genocide Intervention Network (merging with Save Darfur)
- Genocide Watch
- Global Rights
- Human Rights First
- Human Rights Watch
- Humanity United
- International Association of Genocide Scholars
- International Center for Transitional Justice
- International Committee of the Red Cross
- International Crisis Group
- International League for Human Rights
- IntLawGrrls
- Institute for War and Peace Reporting
- Just Security
- Justice Hub
- Justice in Conflict
- Lawfare
- Monkey Cage (*Washington Post*)
- Open Society Institute
- Opinio Juris
- Physicians for Human Rights
- Search for Common Ground
- United to End Genocide
- United States Institute of Peace
- War Crimes Tribunal Watch
- WITNESS

## **D. PODCASTS**

Below is a selected list of podcasts related to this course.

- [Asymmetrical Haircuts](#) – about international justice.
- [Branch 251](#) – about prosecution of suspected perpetrators of atrocity crimes in Syria.
- [ICTJ Forum](#) – podcast of the International Center for Transitional Justice.
- [Justice Visions](#) – podcast of Ghent University’s Human Rights Centre about victim participation in transitional justice.
- [Law Pod – Transitional Justice series](#) – podcast of Queen’s University Belfast Law School about transitional justice.
- [Libya Matters](#) – about transitional justice in Libya.
- [New Books Network – Genocide Studies](#).
- [NIOD Rewind](#) – podcast of the Netherlands Institute for War Documentation (NIOD) Institute for War, Holocaust, and Genocide Studies.
- [Talking Justice](#) – podcast of the Open Society Foundation about law, justice, and human rights around the world.
- [Oxford Transitional Justice Research Seminars](#) – podcast of the University of Oxford’s Oxford Transitional Justice Research network.
- [Peacebuilder Podcast](#) – podcast of Eastern Mennonite University’s Center for Justice & Peacebuilding.



## **E. GUEST SPEAKERS' BIOGRAPHIES**

### **Ari Bassin**

Ari Bassin is a Senior Advisor focused on Transitional Justice for the U.S. Department of State's Office of Global Criminal Justice, where he provides expert policy advice to the U.S. Ambassador-at-Large on Global Criminal Justice and the broader Department on issues related to transitional justice, international criminal law, international human rights law, and international humanitarian law more generally. He has previously worked for organizations including the International Center for Transitional Justice (ICTJ), the World Bank, the International Organization for Migration, and Mercy Corps providing expert technical advice and support on issues related to transitional justice, peace building, and conflict mitigation and management. Mr. Bassin's work has engaged with issues in Sri Lanka, Burma, Nepal, Indonesia, the Philippines, Cambodia, Thailand, Japan, Timor-Leste, the Solomon Islands, Colombia, Guatemala, Cote d'Ivoire, Mali, Sri Lanka, Iraq, Israel/Palestine, Sierra Leone, and Rwanda.

Mr. Bassin taught the course "Transitional Justice: Theory and Practice" at Georgetown University Law School and has published on issues related to transitional justice, peace building, human rights, institutional reform, and international criminal law. Mr. Bassin has a J.D. from NYU School of Law, an MPP from the University of Sydney, and a B.A. in Philosophy with minors in Economics and Theater from Duke University.

### **Lindsay Freeman**

Lindsay Freeman is the Director of the Technology, Law, and Policy program at the Human Rights Center, University of California Berkeley School of Law. Ms. Freeman is an international lawyer who specializes in the use of technology to investigate international crimes, and on prosecution of cyber-enabled international crimes. She led the drafting of the *Berkeley Protocol on Digital Open Source Investigations* for the UN Office of the High Commissioner for Human Rights and developed the Human Rights Center's digital investigation training program. She previously worked for the International Criminal Court, Extraordinary Chambers in the Courts of Cambodia, and as a prosecutor in San Francisco. She holds an Adv. LL.M. in public International Law from Leiden University, a J.D. from University of San Francisco School of Law and a B.A. in Political Science from Middlebury College.

### **Meaza Gebremedhin**

Meaza Gebremedhin is an independent international relations specialist, a notable human rights defender, and a community organizer from Tigray, Ethiopia. As a co-founder of several organizations within the Tigray community, she has played a leading role in advancing the rights and welfare of Tigrayans amid the Tigray war. Her victim-centered approach to justice and accountability has especially earned her significant trust from relevant stakeholders in Tigray and international actors across the globe. Since the onset of the Tigray conflict, Ms. Gebremedhin has spearheaded global advocacy initiatives to end the Tigray war and represented the people of Tigray on the international stage, proficiently voicing their democratic aspirations and amplifying their plight. Her insights and extensive expertise on the Tigray war have positioned her as an indispensable advisor to policymakers and rights groups. She is also a regular contributor to prominent media outlets, including Al Jazeera, BBC, and France 24. Ms. Gebremedhin holds a Bachelor's degree in International Studies and a Master's degree in International Relations.

### **Consolee Nishimwe**

Consolee Nishimwe is an author, a motivational speaker, and a survivor of the 1994 genocide against the Tutsi in Rwanda.

Today, Ms. Nishimwe is a committed speaker on the genocide, a defender of women’s rights, and an advocate for other genocide survivors. In 2012, Ms. Nishimwe released her memoir, Tested to the Limit: A Genocide Survivor’s Story of Pain, Resilience, and Hope.

In recognition of her courage and accomplishments, Ms. Nishimwe was awarded the 2013 ASALH Living Legacy Award, What better looks like Award, Her Hero Lifetime Achievement Award from Huntington National Bank, and New York City Citation Award in recognition of her Tolerance as a victim of the 1994 genocide against the Tutsi in Rwanda. She was hailed by the Together for Girls Organization in SAFE Magazine Issue #1 as one of 50 Global Heroes who help stop sexual violence against children.

Ms. Nishimwe has been featured on FOX 5 TV New York, The Huffington Post, Al Jazeera America, Voice of America, UN Africa Renewal Magazine, The Atlantic, Time magazine, Women’s Media Center, The Salt Lake Tribune, The Observer, New York Amsterdam News, Igihe News, New Times Rwanda, several radio programs, several podcasts, and university newspapers and other media outlets worldwide.

Ms. Nishimwe has appeared as a panelist speaker at the United Nations, educational institutions, faith-based communities, conferences, and more. She also addressed the UN General Assembly during the Kwibuka 24 (the 24<sup>th</sup> annual commemoration of the 1994 genocide against the Tutsi in Rwanda).

### **Melanie O’Brien**

Professor Melanie O’Brien is Visiting Professor at the University of Minnesota’s Center for Holocaust and Genocide Studies and President of the International Association of Genocide Scholars (IAGS). Her work on forced marriage has been cited by the International Criminal Court (ICC), she has appeared before the ICC as an *amica curia*, and she has been an expert consultant for several UN bodies (including the UN Special Advisor on Genocide Prevention). Professor O’Brien received a 10-year service medal for volunteering with the Australian Red Cross and was awarded the Filon Ktenidis Award for her work on justice and recognition for victims of genocide. Professor O’Brien has conducted research across six continents and was recently a Research Fellow at the Sydney Jewish Museum and a Visiting Fellow at the University of Loughborough. Professor O’Brien’s usual role is Associate Professor of International Law at the University of Western Australia. Professor O’Brien’s most recent book is *From Discrimination to Death: Genocide Process through a Human Rights Lens*.

### **Kenan Rahmani**

Kenan Rahmani is an attorney who practices civil rights law. He formerly held senior roles in several Syrian civil society organizations, most notably The Syria Campaign and The White Helmets, in which capacities he frequently briefed the White House, members of Congress, journalists, and think tanks on the situation in Syria. He also frequently traveled to Northern Syria to support pro-democracy and humanitarian groups. Mr. Rahmani graduated in 2016 from American University’s Washington College of Law and completed a Master’s in International Affairs from American University’s School of International Service. He has spoken about the Syrian conflict and U.S. policy on CNN, Fox News, Aljazeera, and in major newspapers including The New York Times and Washington Post.

**Pierre St. Hilaire**

Pierre St. Hilaire was appointed as Special Representative of the International Criminal Police Organization (INTERPOL) to the European Union (EU) on July 1, 2016, and assumed his post on September 1, 2016. From August 2020 – June 2021, Mr. St. Hilaire, on sabbatical from INTERPOL, served as a War Crimes Prosecutor and Head of the Fugitive Tracking Unit at the International Residual Mechanism for Criminal Tribunals in Kigali, Rwanda. Mr. St. Hilaire previously served as the Director of the INTERPOL Counter-Terrorism Directorate, Deputy General Counsel and Head of INTERPOL’s Maritime Piracy Task Force to counter piracy off the coast of Somalia.

During his 22-year tenure at the U.S. Department of Justice (DoJ), Mr. St. Hilaire prosecuted international and domestic terrorism cases, transnational organized crime, as well as cases involving torture, genocide, and war crimes. Mr. St. Hilaire led the DoJ effort to implement an effective U.S. law enforcement strategy to stem the flow of foreign fighters traveling from Europe and other regions to Iraq, Afghanistan, and other conflict zones, in collaboration with the U.S. Special Operations Command, Joint reconnaissance Task Force.

From 2000 – 2002, Mr. St. Hilaire served as the U.S. Residential Legal Advisor to Rwanda, where he provided legal and policy advice to Rwanda’s Attorney General, Minister of Justice and training to their staff to resolve a backlog of over 500,000 cases stemming from the 1994 genocide in Rwanda. Mr. St. Hilaire also served as an expert for Rwanda’s Constitutional and Judicial Reform Committees in 2003 and 2004, respectively.

From 1991 – 1998, Mr. St. Hilaire served as a Constitutional lawyer in the U.S. Department of Justice, where he defended the United States and its officials against challenges to the government’s policies and programs. During that time, Mr. St. Hilaire also performed a special assignment for the U.S. government, through the DoJ Office of Prosecutorial Development, Assistance, and Training to create the first Ecole de la Magistrature in Haiti and develop the capabilities of the prosecution service. Mr. St. Hilaire is the recipient of numerous awards at the U.S. Department of Justice, including the Assistant Attorney General’s Award for National Security. Mr. St. Hilaire holds a doctorate degree in law and is a member of the New York State Bar.