## SYLLABUS DE COURS

**Intitulé du cours :** Transitional Justice and Democracy  
**Nom de l’enseignant :** PHILIPPE  
**Prénom :** Xavier  
**Périodicité :** Annuel ☐  
Semestriel (1) ☐  
Semestriel (2) ☐  
**Niveau d’enseignement concerné :**  
1ère année ☐  
2ème année ☐  
4ème année Master 1 ☐  
5ème année Master 2 ☐  
Cours spécifique étudiants internationaux ☐  
Conférence de Métode ☐  
Cours Magistral ☐

### Objectifs pédagogiques du cours :

This course focuses on the presentation and study of the issue of “justice in post-conflicts environments”. It deals with the specific challenges that justice faces in post-conflicts situations and especially through non-judicial channels. At the eve of the third millennium, political and legal transitions from authoritarian and dictatorial regimes to the establishment of democracy, Constitutional State and the respect for the rule of law are a worldwide dimension phenomenon. In most cases, political regimes prior to the establishment of democracy were characterized by grave violations of human rights and humanitarian law. Political and legal answers to these past violations represent a key test for the trust and reliability of the new political democratic regime. Faced to this opposition between peace and justice, the transitional process has to respond to enormous challenges. Students will be exposed to these issues in a transversal manner.

### Contenu / descriptif du cours :

All countries in transition process shall resolve similar problems: Can they or should they punish violations of human rights committed -most of the time- on a large scale basis when these violations happened under a previous regime in a context of war or major crisis? Should amnesty be granted? In the affirmative, under which conditions such measures of pardon can be granted? Is amnesty an unavoidable solution due to the peace necessity and the establishment of a new democracy? Is the Society in itself faced to the necessity of recognizing the errors of the past? Should public administration and political sector be completely be cleaned from those who were in charge during the crisis or armed conflict period? How victims of violations can be helped and their dignity restored? To what extent private properties seized during the conflict or the crisis can be restituted to their former owners?

### Indications bibliographiques :