

IMPLEMENTING TRANSITIONAL JUSTICE IN BURUNDI

Socio-Political Navigations of the 'Toolkit Approach'

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Political Settlement Research Programme



RESEARCH QUESTIONS & OUTLINE

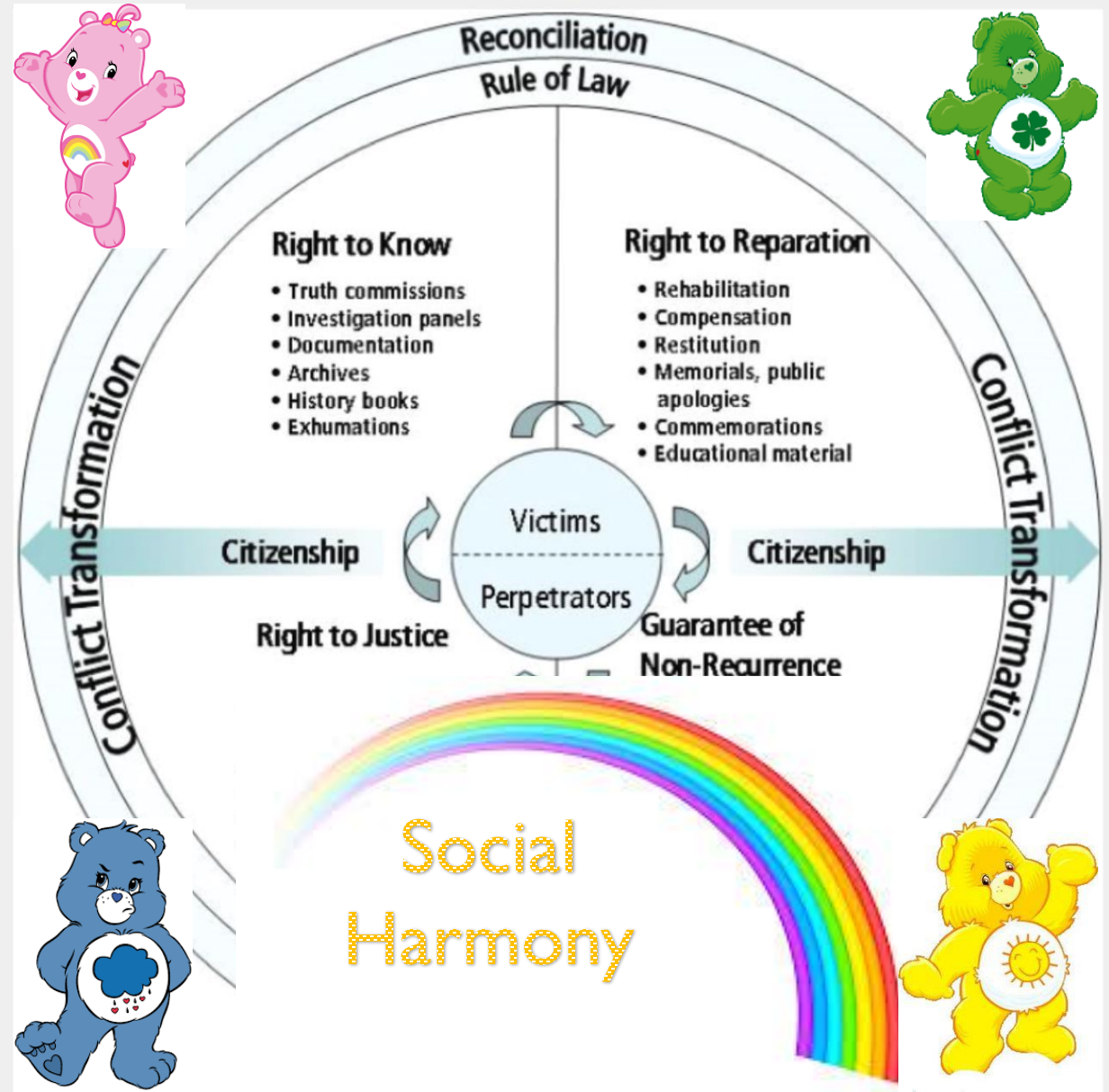
- How the Transitional Justice toolkit get implemented? Why such approach can be perceived as a limitation of the Burundian TJ process?
- Ideological Discussion : Existing critique of the toolkit approach and its policy response
- Empirical Discussion: The Toolkit Approach in Action
- **What does it mean for understanding statehood in Burundi?**

THE THEORY OF HOLISM

THE TOOLKIT APPROACH AND THE NEED TO LOCALIZING TJ

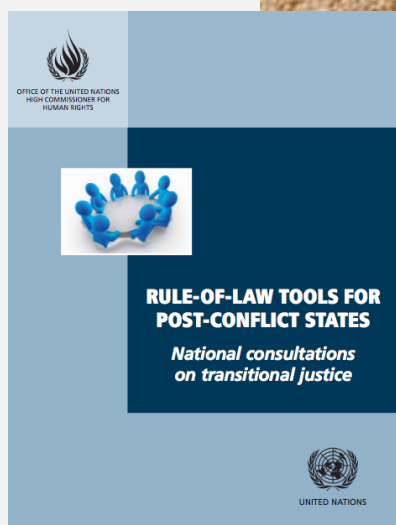
- Denounce the ‘one-fits-all’ and ‘tick box’ - Disconnections from local priorities and practices
- Depict international actors and local elite as engineers to rebuild the ‘broken society’ or ‘failed state’
- Ideological, conceptual and pragmatic dimensions that obscure different normative frameworks
- Policy response to toolkit critique: the Holistic vision (Acknowledge need to adapt to local contexts and focus on victims)

THE HOLISTIC VISION: A CARE BEAR IDEOLOGY?



HOW THIS GETS IMPLEMENTED?

BRINGING THE TOOLKIT APPROACH TO BURUNDI



RULE-OF-LAW TOOLS FOR POST-CONFLICT STATES
Maximizing the legacy of hybrid courts

LISTENING TO THE TJ BROKEN RECORD



GUIDE D'INFORMATION
LA JUSTICE DE TRANSITION
ET LES PRINCIPES DES CONSULTATIONS NATIONALES
AU BURUNDI

Elaboré par l'Unité Justice de Transition
du Bureau Intégré des Nations Unies au Burundi



NATIONS UNIES
Bujumbura, Août 2009

RESEARCH INSTRUMENT

impunity watch



UM POUR LE RENFORCEMENT DE
LA SOCIÉTÉ CIVILE

Moi et la Commission
Vérité et Réconciliation du
Burundi

Guide du Citoyen

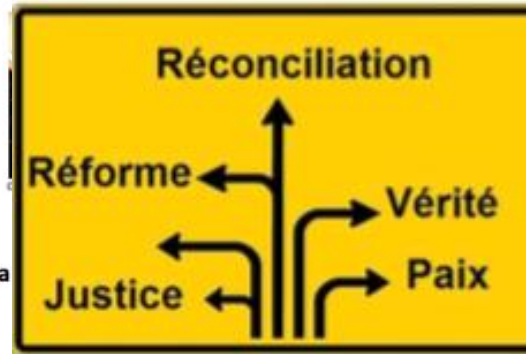
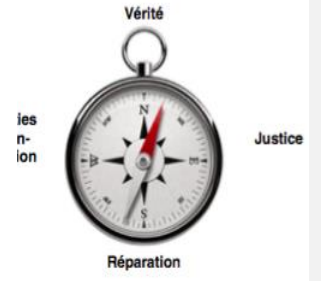


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Louis-Marie Nindorera
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MULTI-LAYERED NAVIGATIONS

- UN and Burundian Authorities Relationship while discussing 2014 law



- Arguing about Truth while Commemorating Victims



WHAT DOES IT ALL MEAN FOR STATEHOOD, STATEBUILDING AND POLITICAL TRANSITIONS?

- Behind the Illusion of Legal order: Ability to embrace (or at least not reject openly) the toolkit approach and CNDD-FDD rule but constant subtle navigations through important disagreements
- Who is the Evil Wizard? Limitations of understanding ruling regime as sole source of problems – More complex power relations and political nature of international normative frameworks
- Failed in building state legitimacy because of failure to deal with the past at the international level
- Uncertainty in terms of possible outcome of TRC and state-building benefits
- Fluidity of Unit of Analysis – Political Affiliation of institutions and individuals more relevant than state/nonstate, national/international divides

