

Connecting law & memory

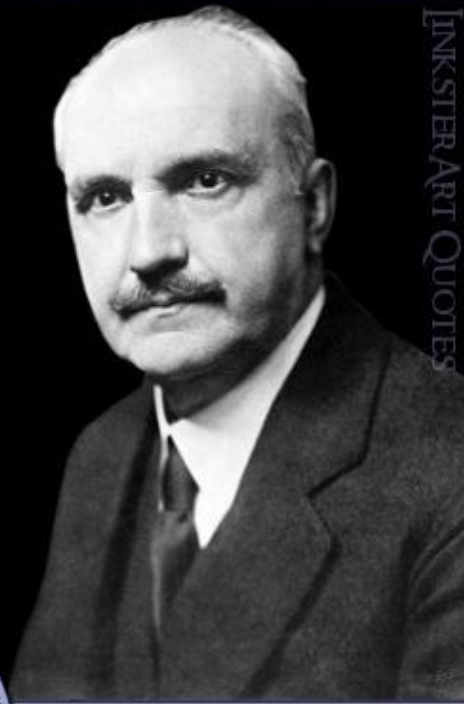


Role of international
courts and tribunals

SPANISH-AMERICAN PHILOSOPHER (1863-1952)

“THOSE WHO DO NOT
REMEMBER THE PAST
ARE CONDEMNED TO
REPEAT IT.”

GEORGE SANTAYANA



LINKSTERART QUOTES



Our strength lies in our intensive attacks and our barbarity...After all, who today remembers the genocide of the Armenians?

— *Adolf Hitler* —

AZ QUOTES

Post WW II



Nuremberg Trial



Eichmann in Jerusalem

1990ies



Milosevic at the ICTY



Jean Kambanda at the ICTR



Charles Taylor in The Hague
2014

Hissène Habré in Chad
2016



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- ▣ How does the law connect atrocity crimes to memory?
 - ▣ Role of international courts?
 - ▣ Perspective of the victims?

How does the law connect atrocities to memory?

- ▣ Legal architecture for atrocity crimes – impact on history writing
- ▣ Educational value
- ▣ “Judicialisation” of memory
 - Reactivation of past events
 - Projection into the past of contemporary norms

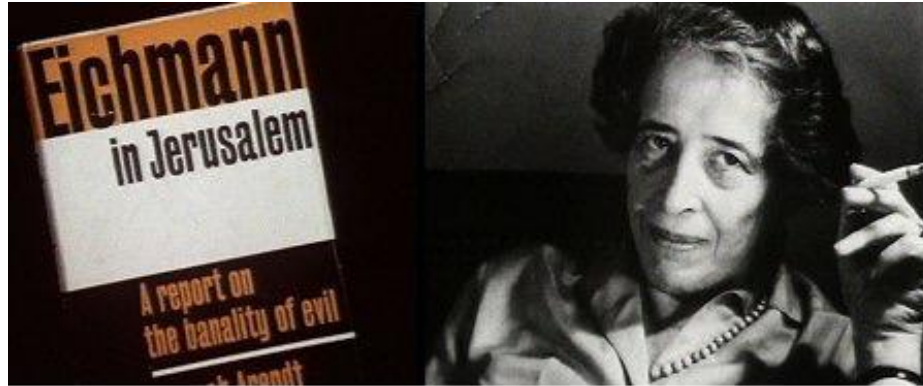
Role of international courts

- ▣ Drawing up a historical record of atrocities
- ▣ Why *international* courts?
- ▣ Judges as historians?

Perspective of the victims

- ▣ Right of victims to be recognized a victims
- ▣ Truth finding?
 - “Right to the truth”
 - How to implement this right?
- ▣ Right to a remedy

Conclusion



Hannah Arendt



ICJ Judge Tom Buergenthal