

Description for the general public

Is it worth to punish those responsible for the outbreak of armed conflict? At first glance, the answer seems obvious. However, in situations when large-scale violence becomes a kind of standard, conventional systems for the protection of fundamental human rights as well as conventional judiciary systems often turn out to be insufficient. To confront this problem, states develop extraordinary political-legal solutions, known as transitional justice. The latter includes different practices combined by a common purpose – to cope with the legacy of mass violence. The concept of transitional justice refers primarily to nascent democracies dealing with the legacy of authoritarian regimes (for example, vetting in post-communist countries), but also to outcomes of armed conflict. In any case, transitional justice policies always contain a significant political element, which is associated with the risk of causing new divisions and conflicts (as an example, one can think about amnesties granted to persons taking part in armed conflicts – they usually rise significant controversies). Hence, the answer to the question posed at the beginning is not always clear.

Since the beginning of 2014, Ukraine initiated a series of policies fitting into the category of transitional justice. This project aims to explore those elements of transitional justice in Ukraine, which are related to the legacy of ongoing armed conflict in Donbas. For this purpose, relevant Ukrainian legal acts and court verdicts and decisions will be analysed. Ultimately, the project is aimed at understanding how transitional justice mechanisms influence the course of armed conflict (whether they favor the resolution of it?); and more generally – the impact of them on the political development of a country implementing them. The project will enrich the existing knowledge in the field of transitional justice (in particular, the part of it dedicated to the link between transitional justice and conflict resolution). It will also contribute to a better understanding of the causes, course and prospects of settlement of the Donbas conflict, which is one of the most important crises faced by the European politics in recent years.