

Transitional Justice in Contemporary Conflict Resolution

This paper is intended to provide an overview of Transitional Justice (TJ), its historical context within the liberal international order (LIO), and pose questions for its future sustainability. The paper has been commissioned ahead of Wilton Park event WP3842 ‘Transitional Justice in Contemporary Conflict Resolution’ in July 2026. It should not be viewed as representing the views of His Majesty’s Government.

Recent conflicts in the Middle East and beyond have reinforced the need to safeguard Transitional Justice (TJ), as an essential pathway from conflict to recovery. The United Nations defined TJ in 2004 as ‘the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation’.¹ However, TJ mechanisms have existed for decades, from the aftermath of the world wars to post-colonial and democratic transitions in the 20th century. Emerging alongside the growth of the liberal international order (LIO), TJ has thus become a vital tool for influencing and protecting the human rights arena. Yet, current challenges within the LIO — faltering multilateralism, democracy, international law, and declining Official Development Assistance — may pose significant risks to the endurance of TJ mechanisms today. This paper discusses the origins of modern-day Transitional Justice, the impact of the LIO on TJ, the decline in the LIO, and implications of this decline on TJ practices today. The paper offers a conceptual framework for conversations at the upcoming Wilton Park event.

What is Transitional Justice?

Transitional Justice (TJ) provides a way for societies to deal with large-scale crimes, abuse, and injustice, occurring in the past, and incorporates truth-seeking, accountability, reparations, and non-recurrence of crimes. The modern foundation of TJ emerges from post-World War II tribunals, such as the International Military Tribunal at Nuremberg². In total, Nuremberg convicted 161 out of 199 defendants, establishing

¹ <https://docs.un.org/en/S/2004/616>

² https://digitalcommons.nyls.edu/cgi/viewcontent.cgi?article=1325&context=fac_articles_chapters

a precedent for assigning guilt for the crimes of war to individuals rather than states.³ This formed the basis of later trials throughout the 20th century, including the Tokyo trials in the later 1940s, Nazi trials in West Germany in the 1950s and 1960s, post-authoritarian regime trials in Latin America in the 1980s and 1990s, and the *ad hoc* international tribunals in Yugoslavia and Rwanda that lasted into the 21st century.

However, court systems offer only one means of Transitional Justice. TJ mechanisms encompass a wide range of processes, from formal, codified law, to quasi-legal government-facilitated practices, to informal movements driven by society.⁴ Typically, formal mechanisms are classified under four categories: (I) criminal justice and prosecutions, (II) truth-seeking mechanisms, (III) reparations, and (IV) institutional reforms. In the 1980s, the first modern truth commissions were launched in Latin America to address political disappearances under military rule.⁵ A key output of these commissions were reports which both described the crimes committed and collected evidence from victims. In addition, such commissions supported *reconciliation*, an important element of TJ which focuses on rebuilding fractured societal relations.⁶ The 1995 South African Truth and Reconciliation Commission (TRC), became ‘the most famous example’ of a truth commission, because it granted amnesty under certain conditions to perpetrators for the first time.⁷ The TRC proved especially useful, because it offered a meaningful alternative to criminal accountability, which was a concession during negotiations to end the apartheid regime.⁸

Reparations and reforms also play key roles in Transitional Justice, even in situations where criminal justice is not an option.⁹ Several other cases of reparations have since occurred, notably community-based ones in Timor-Leste in the mid-2000s, which included funds for collective measures for peace.¹⁰ Such reparations often happened alongside institutional reforms. In Argentina, for example, key reforms included restructuring the military (which was responsible for disappearances) and placing it under civilian control with the oversight of the democratic government.¹¹ In general, TJ

³ <https://www.nationalww2museum.org/war/topics/nuremberg-trials>

⁴ <https://d1wqtxts1xzle7.cloudfront.net/31467774/Transitional-Justice-A-New-Discipline-in-Human-Rights-libre.pdf>

⁵ <https://www.comisionporlamemoria.org/por-que-mienten-los-negacionistas/informe-nunca-mas-1984/>

⁶ <https://www.ictj.org/sites/default/files/ICTJ-Briefing-Paper-Reconciliation-TJ-2017.pdf>

⁷ <https://www.justice.gov.za/trc/>; <https://www.ictj.org/sites/default/files/ICTJ-Global-Truth-Commissions-2008-English.pdf>

⁸ https://repository.law.umich.edu/cgi/viewcontent.cgi?params=/context/mjrl/article/1242/&path_info=uc.pdf

⁹ <https://www.ictj.org/sites/default/files/ICTJ-Argentina-Accountability-Case-2005-English.pdf>

¹⁰ <https://www.cambridge.org/core/books/right-to-reparation-in-international-law-for-victims-of-armed-conflict/case-study-reparations-in-east-timor/B3129C9F40B911806B2C1A53381DB69E>

¹¹ <https://www.cmi.no/publications/5569-the-argentine-military-in-democracy>

institutional reforms occur via three pathways which, in order of increasing magnitude, are: democratisation and early reform (characterising the 1980s), security sector and constitutional reform (1990s), and internationalised state-building (2000s). State-building includes the TJ-driven creation of formal institutions like constitutions and judicial systems to repair countries such as Timor-Leste and Kosovo.¹²

Informal TJ mechanisms can also be classified under four categories: (V) memorialisation, (VI) reconciliation processes, (VII) traditional justice systems, and (VIII) Disarmament, Demobilisation, and Reintegration (DDR) programmes.

Memorialisation involves fostering collective remembrance to acknowledge and heal from societal traumas.¹³ Reconciliation intends to rebuild relationships after human rights violations by placing perpetrating and impacted communities in conversation and providing victims a forum to seek recognition.¹⁴ Traditional justice systems refer to non-state judicial processes, notably including *gacaca* courts in Rwanda following the genocide, where community elders decided on cases to assist with impossible legal case-loads and to promote reconciliation.¹⁵ Finally, DDR programmes offer a means of restoring former fighters to civilian life via weapons collection, educational services, and other means to demobilise and foster sustainable peace.¹⁶ Both formal and informal mechanisms therefore work together to form a multi-faceted international system for Transitional Justice.

How does a liberal international order impact Transitional Justice?

Transitional Justice has almost always been driven by local and national movements, often arising ‘bottom-up’ from civil society organisations, many of which are led by victims and survivors of abuses and atrocity crimes. The vast majority of TJ processes are national endeavours with unique and distinct national characters, reflecting the locally specific underlying causes of conflict and the social dynamics of the crimes and abuses committed. Nevertheless, international support for Transitional Justice, especially its sudden expansion towards the end of the Cold War, co-occurred with a strengthening liberal international order (LIO) worldwide. In particular, the 1990s

¹² [https://www.files.ethz.ch/isn/20295/01".2003.pdf](https://www.files.ethz.ch/isn/20295/01)

¹³ https://www.ictj.org/sites/default/files/ICTJ-Global-Memorialization-Democracy-2007-English_0.pdf

¹⁴ <https://www.ictj.org/sites/default/files/ICTJ-Briefing-Paper-Reconciliation-TJ-2017.pdf>

¹⁵ <https://www.amnesty.org/en/wp-content/uploads/2021/06/afr470072002en.pdf>

¹⁶ <https://peacemaker.un.org/sites/default/files/document/files/2022/11/iddrs-620-ddr-and-transitional-justice.pdf>

amplified TJ within post-conflict mechanisms, multilateral discussions, and international relations theory. For example, while only two truth commissions occurred in the 1980s, the 1990s saw ten such commissions, and there were seventeen in the 2000s.¹⁷ Meanwhile, the only two International Criminal Tribunals ever created by the United Nations Security Council (UNSC), in Yugoslavia and Rwanda, were also products of the 1990s.¹⁸ Following these, the International Criminal Court (ICC) was established in 2002 to try individuals for the 'gravest crimes of concern': genocide, war crimes, crimes against humanity, and crimes of aggression.¹⁹ This growth reflects a 'justice cascade', in which changing international norms towards the end of the 20th century led to the rapid expansion of TJ.²⁰ The emergence of these processes and bodies indicated a broader interest in human rights and protection, alongside an international system better equipped and more willing to engage in these spaces.

Following the Cold War, one can observe four key trends – multilateralism, democratic transitions, international law, and official development assistance – which greatly informed the character of the LIO and created an environment conducive to TJ. Multilateralism expanded significantly after the Cold War because a lack of superpower rivalry enabled the United States to propagate its interests through liberalism, while increased financial stability and trade led to economic globalisation.²¹ Meanwhile, a number of post-Soviet and post-colonial countries, experienced rapid transitions towards democracy in this period. In Latin America, for example, military rule came to an end in several countries due to defeat in war and negotiated exits. In addition, strengthened international law occurred because the collapse of the Soviet Union reduced ideological gridlock and empowered the United States, enabling greater cooperation.²² Finally, Official Development Assistance (ODA) also expanded from a political tool to a promoter of democracy and free-markets, a growth reflected in the number of non-governmental organisations (NGOs) doubling to over 40,000 within the decade following the Cold War.²³

¹⁷ <https://www.ictj.org/sites/default/files/subsites/challenging-conventional-truth-commissions-peace/table-1.html>

¹⁸ <https://main.un.org/securitycouncil/en/content/repertoire/international-tribunals>

¹⁹ <https://www.icc-cpi.int/about/the-court>

²⁰ Sikkink, Kathryn, and Hun Joon Kim. "The justice cascade: The origins and effectiveness of prosecutions of human rights violations." *Annual Review of Law and Social Science* 9, no. 1 (2013): 269-285.

²¹ <https://www.jstor.org/stable/pdf/2706989.pdf>

²² <https://www.jstor.org/stable/j.ctv3znx0v>

²³ https://uia.org/system/files/pdf/v5/2018/2_9.pdf

These four trends reinforced mechanisms and norms surrounding TJ as follows:

LIO Trend	Impact on Transitional Justice
Multilateralism	1: Fostered international norms protecting human rights
	2: Enabled multinational conversations on Transitional Justice mechanisms and the role of international law
	3: Interrelated diplomacy and Transitional Justice due to post-Cold War global interest in human rights
	Example: Multilateralism via the International Criminal Tribunal for the Former Yugoslavia (ICTY) in 1993 consolidated norms that human rights violations are subject to international criminal accountability, engaged various countries on how to develop effective TJ practices, and reflected the ICTY's creation due to diplomatic pressure by UN member states. ²⁴
Democratic Transitions	1: Ended military and authoritarian rule in countries associated with egregious human rights practices
	2: Utilised TJ as a means of reinforcing nascent democracies and peacebuilding
	3: Interrelated democracy and Transitional Justice due to interest of unipolar United States in limiting Soviet legacy
	Example: The transition to democracy in Argentina ended military rule, established a TJ-related National Commission on the Disappearance of Persons (CONADEP) in 1983 to document abuses, and was supported by the United States efforts towards democratic consolidation in Latin America. ²⁵
International Law	1: Enabled formal international mechanisms for TJ, including International Criminal Tribunals and United Nations interventions

²⁴ <https://www.icty.org/en/about>

²⁵ See CONADEP report: http://www.desaparecidos.org/nuncamas/web/english/library/nevagain/nevagain_001.htm

	2: Offered a forum for negotiations related to TJ to establish norms and codes of conduct
	3: Interrelated law and Transitional Justice as a legal and formal mechanism
	Example: International law efforts via the Special Court for Sierra Leone in 2002 reflected in its creation via an agreement between the government and the United Nations, which enabled negotiation between the two entities on TJ objectives and demonstrated how TJ could become operationalised under international law. ²⁶
Official Development Assistance (ODA)	1: Created normative culture to assist countries with their development and democratisation
	2: Provided funds for Transitional Justice-related NGOs and programmes
	3: Interrelated financial aid and Transitional Justice as a means of influencing liberal progress in countries
	Example: European Union (EU) funding via the European Instrument for Democracy and Human Rights (EIDHR) links development assistance to norms regarding rule of law and civilian protections, has directly funding TJ-related NGOs and programmes, especially in the early 2000s, and embeds TJ within the liberal peacebuilding framework dependent on financial aid. ²⁷

Although LIO therefore benefits the Transitional Justice space, the interrelation of TJ with key facets of LIO like diplomacy, democracy, rule of law, and financial aid may introduce vulnerabilities to justice mechanisms if these factors are in global decline.

²⁶ <https://www.rscsl.org/Documents/scsl-agreement.pdf>

²⁷ <https://www.eidhr.eu/what-is-eidhr-/what-is-eidhr-/>

Is the liberal international order in decline?

In the past two decades, LIO has faced significant erosion across these four trends. With regards to multilateralism, there is reduced cooperation, increased gridlock, and divergent interests in an increasingly multipolar world. Democracy has also weakened, not only in terms of fundamental areas like governance and rule of law, but also in associated indicators of freedom. International law is in decline as well, with limited financial support and weakening norms. Official Development Assistance (ODA), which plays an important role in TJ via its sponsorship of NGOs, likewise suffers from reduced financial support and shifts in states providing ODA towards national interest over international development. Evidence for this decline in the LIO is provided below.

Multilateralism

- 1 Reduced multilateral cooperation.** Powerful countries more frequently rely on non-cooperative mechanisms to achieve international objectives today. As a result, the number of UNSC resolutions per year has been gradually decreasing since 2016. In 2016, 77 resolutions were passed but this number dropped to only 31 in 2025, lower than any other year since the end of the Cold War.²⁸ Meanwhile, for the first time since the advent of the UNSC, the 2010s experienced fewer resolutions than prior decades, with a notable drop occurring in 2013. These declines respectively coincide with the second Trump administration in the United States and the invasion of Crimean by Russia.
- 2 Increased international gridlock.** Great power interests have also led to an increased use of UNSC vetoes, primarily for powerful countries to avoid international condemnation. Although liberalisation significantly decreased vetoes post-Cold War, the use of vetoes has been gradually increasing since 2010, returning to pre-1990 levels. Veto topics in recent years have surrounded the War in Ukraine, Palestinian territories, and the attacks in Iran, with the increase in vetoes driven by Russia, the United States, and China.²⁹ The average annual vetoes post-COVID (2022-2025) has been 6, as compared to an average of 1.6 in the 2000s and 3.1 in the 2010s.³⁰

²⁸ <https://unscr.com/en/resolutions/statistics/>

²⁹ <https://main.un.org/securitycouncil/en/content/vetoes-since-1946>

³⁰ Ibid.

- 3 Divergent multipolar interests.** The shift away from a unipolar world has also introduced vulnerabilities in multilateralism. There is growing literature on multipolarity without multilateralism, because of the ‘political fracturing of the world into competing poles.’³¹ The diminished share of economic power in the G7, alongside increased power in the G20, is one example of a ‘multipolar governance dilemma’ wherein a ‘larger numbers of states with larger differences...make cooperation more difficult to achieve’.³²

Democracy

- 1 Weakened democracies.** Democratic backsliding has also been increasing in recent decades. Freedom House’s Global Freedom Index showed decline in 2025 for the 20th consecutive year, with 54 countries declining in political rights and civil liberties.³³ In addition, this decline was a global phenomenon—although countries in Africa experienced some of the worst declines, major global powers like Russia, the United States, and the United Kingdom also experienced back-sliding in the past year.³⁴ The decline accounts for negative changes in electoral processes, political participation, and government function. This backsliding is also reflected in reduced constraints on government powers and closed governance, as reflected by the decrease in the World Justice Project Rule of Law Index for the eighth year in a row.³⁵
- 2 Reduced associated indicators.** Global media freedom, freedom of personal expression, and due process declined most significantly in 2025 out of all rights and liberties that Freedom House utilises for its index.³⁶ This was reflected in other indexes related to democratic rights. The World Press Freedom Index hit an all-time-low in the past 25 years, with a majority of countries facing ‘difficult’ or ‘very serious’ press freedom issues.³⁷ The Gini coefficient, which reflects inequality, has been gradually lowering since the 2008 financial crisis.³⁸ The V-Dem Human Rights index has also been in consistent decline since the early 2010s.³⁹

³¹ https://www.eeas.europa.eu/delegations/china/how-revive-multilateralism-multipolar-world_en

³² <https://journals.sagepub.com/doi/full/10.1177/0032329211415503>

³³ <https://freedomhouse.org/article/new-report-global-freedom-declined-20th-consecutive-year-2025>

³⁴ <https://freedomhouse.org/country/scores?type=fotn>

³⁵ <https://worldjusticeproject.org/rule-of-law-index/insights>

³⁶ <https://freedomhouse.org/article/new-report-global-freedom-declined-20th-consecutive-year-2025>

³⁷ <https://rsf.org/en/2026-rsf-index-press-freedom-25-year-low>

³⁸ <https://wir2022.wid.world/chapter-2/>

³⁹ <https://ourworldindata.org/grapher/human-rights-index-vdem?tab=line>

International Law

- 1 Limited financial support.** The overall decline in multilateralism has had an effect on international law and the commitment of countries to support associated mechanisms. For example, although funding for international law mechanisms such as the International Criminal Court (ICC) increases each year, non-member states like the United States and Russia do not provide financial assistance.⁴⁰ In addition, the total annual revenue of the United Nations decreased, notably between 2022 and 2023, due to a decline in private and voluntary funding.⁴¹ The United Nations has since been facing funding challenges due to a 'significant number of member states failing to pay their legally-binding contributions in full and on time'.⁴²
- 2 Weakened norms.** Alongside financial complacency, international norms are also weakening substantially. Although norms are hard to measure, it is widely observed that various norms, especially those related to conflict, and the use of excessive force are in decline. Superpower countries often blame each other for this erosion of norms, although violating certain norms themselves, which further damages their adherence more broadly.⁴³ For example, the United States has criticised Russia for its full-scale invasion of Ukraine, a sovereign country, but continued to support Israel's military actions in Gaza, which have given rise to warrants for arrest from the International Criminal Court for Israeli politicians. Beyond economic sanctions, neither superpower has been able to constrain the behaviour of the other. Because of difficulties in holding great powers accountable, norms violations without meaningful international repercussions have contributed to an international norms crisis.⁴⁴

⁴⁰ <https://asp.icc-cpi.int/bureau/WorkingGroups/budget>

⁴¹ <https://unsceb.org/fs-revenue-government-donor>

⁴² <https://commonslibrary.parliament.uk/research-briefings/cbp-10379/>

⁴³ <https://www.dni.gov/index.php/qt2040-home/qt2040-deeper-looks/future-of-international-norms>

⁴⁴ <https://journals.sagepub.com/doi/pdf/10.1177/1354066111407690>

Official Development Assistance

1 Reduced financial support. Official Development Assistance (ODA) has also decreased due to reduced financial support. The Organisation for Economic Co-operation and Development (OECD) has a Development Assistance Committee (DAC) which leads on providing ODA to countries in need. However, DAC financial support decreased by 23.1 percent between 2024 and 2025, which amounts to the largest annual decline in history.⁴⁵ This decline is driven by reduced contributions by the five largest ODA providers: Germany, the United States, the United Kingdom, Japan, and France.⁴⁶

Reduced ODA financial support has a direct impact on TJ mechanisms. For example, non-profit institutions that raise attention for and address TJ crises, such as the International Center for Transitional Justice (ICTJ), rely on ODA for their operations.⁴⁷ The ICTJ has faced funding pressures in recent years because of ‘many European governments directing development aid mainly to conflicts with global consequences, domestic needs, and bilateral cooperation, and the U.S. government dramatically shifting its aid priorities’.⁴⁸ Financial constraints from reduced ODA have thus led the ICTJ to contract operations.⁴⁹

⁴⁵ <https://www.oecd.org/en/data/insights/data-explainers/2026/04/a-historic-decline-in-foreign-aid-preliminary-2025-oda-data.html>

⁴⁶ <https://www.oecd.org/en/data/insights/data-explainers/2026/04/a-historic-decline-in-foreign-aid-preliminary-2025-oda-data.html>

⁴⁷ <https://www.ictj.org/our-donors>

⁴⁸ https://www.ictj.org/sites/default/files/2025-10/ICTJ_Report_Core_FY25_Web.pdf

⁴⁹ <https://www.ictj.org/latest-news/ictj-closes-office-c%C3%B4te-d%E2%80%99Ivoire-maintains-scaled-down-engagement>

2 Shifts towards national interest. The reduction in ODA also reflects an increased shift in the mindset of traditional country funders towards national interest, over international contributions. A rise in nationalism has a documented impact on development assistance. For example, nationalism in the United Kingdom has been affiliated with consistent declines in foreign aid.⁵⁰ This could have spillover effects on the United Kingdom’s overseas TJ efforts, which include its funding of war crime investigations, strong support for the ICC, and judicial training programmes in post-conflict states.⁵¹ Meanwhile, in the United States, the second Trump administration substantially cut funds for the U.S. Agency for International Development (USAID) and other foreign development assistance, due to the perception that it is ‘not aligned with American interests’.⁵² It also made substantial cuts to the State Department, including the Office of Global Criminal Justice, which helped set policy on the US response to war crimes and genocide⁵³.

3 Growing misalignment with United Nations Sustainable Development Goal (SDG) 16: Peace, Justice, and Strong Institutions. Finally, ODA providers are increasingly misaligned with SDG 16 in their prioritisation of projects to fund. SDG 16 focuses on ‘providing access to justice for all’ and ‘inclusive institutions at all levels’.⁵⁴ Although ODA has traditionally funded institutional capacity-building, recent shifts in assistance focus on humanitarian response and crisis resilience instead. In 2023, 59 percent of DAC funding went towards development, 31 percent to humanitarian aid, and only 10 percent to peace.⁵⁵ This was the second lowest level since 2004 towards ‘peace’, which are efforts that focus on core government functions and inclusive political processes such as mediation, justice reform, reconciliation, DDR, and peacebuilding.⁵⁶ The misalignment in ODA has negatively impacted SDG 16—in fact, a 2025 report finds that none of the twelve SDG 16 goals are on track to be met—and this will likely have a similar impact on meeting TJ objectives.⁵⁷

⁵⁰ <https://www.theguardian.com/politics/2026/apr/09/uk-foreign-aid-spending-lowest-since-2008>

⁵¹ <https://www.gov.uk/government/news/uk-government-shows-unwavering-support-for-war-crime-accountability>; <https://www.gov.uk/government/speeches/attorney-generals-address-to-the-international-criminal-court>; <https://www.gov.uk/government/publications/implementation-of-international-humanitarian-law-at-domestic-level-2024-voluntary-report/voluntary-report-on-the-implementation-of-international-humanitarian-law-at-domestic-level-second-edition>

⁵² <https://www.whitehouse.gov/presidential-actions/2025/01/reevaluating-and-realigning-united-states-foreign-aid/>

⁵³ [Trump administration proposes State Department cuts in overhaul - BBC News](https://www.bbc.com/news/world-us-canada-67845678)

⁵⁴ <https://www.un.org/sustainabledevelopment/peace-justice/>

⁵⁵ https://www.oecd.org/en/publications/states-of-fragility-2025_81982370-en/full-report/the-state-of-responses-to-crises-and-fragility_a898de95.html

⁵⁶ https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/10/peace-and-official-development-assistance_6514078d/fccfbffc-en.pdf

⁵⁷ <https://sdg.iisd.org/news/a-decade-lost-no-peace-justice-or-inclusion-target-on-track-by-2030/>; <https://www.ictj.org/latest-news/making-links-between-transitional-justice-and-sdg16>

Potential implications and next steps for TJ

At a time when the world is facing numerous human rights crises, the decline in the LIO introduces potential negative implications for TJ. Several regions including the Middle East and North Africa face extreme levels of conflict and are dangerous to civilians at rates higher than ever before.⁵⁸ Conflicts ‘to watch’ in 2026 include Israel’s conflicts in the region, the use of force by Myanmar’s military, sectarian violence in Syria, Russia’s military and diplomatic pressure on Ukraine, the United States’ expanding hard power interests, and escalating gang violence in Ecuador, among others.⁵⁹ These conflicts are associated with human rights abuses including mass killing of civilians, arbitrary detainment, gender-based violence, and political disappearances that critically require de-escalation, conflict resolution, peacebuilding, and potentially Transitional Justice.

If the expansion of TJ in the post-Cold War era was significantly enabled by the four key trends considered here, then the concern for TJ is that, as these trends retreat, so too might the support for TJ now and in the future.

European countries and institutions have historically played a critical role in TJ processes across the world. In Colombia, for example, the EU has provided 16.5 million euros since 2016 to support the peace process, including the Special Jurisdiction for Peace (JEP), criminal investigations, truth-finding, and archive preservation.⁶⁰ European countries also provided significant funding for the Special Court for Sierra Leone, with the United Kingdom contributing around 27 million pounds as of 2011.⁶¹ Whether European countries would commit to such large financial support today is uncertain, and trends in DAC funding suggest otherwise. In addition, the unwillingness of European democracies to expand support for the ICC might limit capacity for cases and fewer prosecutions of international crimes, an important marker of TJ.⁶²

Beyond governmental support, advocacy on behalf of victims of conflict could also diminish in the future, as civil society struggles to operate in an increasingly escalatory and under-funded environment. As the impact of NGOs diminish, the commitment from governments to commit to and fund TJ measures might erode even further.

⁵⁸ <https://acleddata.com/series/acledd-conflict-index>

⁵⁹ <https://acleddata.com/series/conflict-watchlist-2026>

⁶⁰ https://fpi.ec.europa.eu/document/download/0845adcc-fdec-41d2-b42a-cd2d2875ec9c_en?filename=FPI+Colombia+Justice+-+V9.pdf&prefLang=sk

⁶¹ <https://www.gov.uk/government/news/uk-announces-support-for-international-criminal-tribunals-including-special-court-for-sierra-leone>

⁶² <https://www.amnesty.org/en/latest/news/2016/11/states-shouldnt-use-icc-budget-to-interfere-with-its-work/>

The resulting question is this: given the retreat of LIO trends in recent years, should we expect Transitional Justice to weaken as well?

If it is true that TJ activity is supported by multilateralism, democracy, law, and development spending, then we would expect it to now be facing a decline as well. There is already some evidence for a reduced interest in TJ. There are fewer major truth and reconciliation commissions today than in the 1990s, and the only UNSC international tribunals in Rwanda and Yugoslavia ended in 2015 and 2017 respectively. A potential metric comes from the Harvard University Transitional Justice Evaluation Tool, which shows that fewer countries have been engaged in Transitional Justice in the 2020s, for instance, than TJ commitments in the 1990s.⁶³ On the other hand, whether these possible indicators of reduced TJ are related to the decline in the LIO, or simply coincidental, requires further consideration.

However, if the growing number of countries involved in contemporary mediation and conflict resolution were to start viewing TJ as a priority, this could foster more resources towards ODA and political support, potentially offsetting the decline from traditional TJ supporters in Europe. This might lead to a different type of TJ than the post-Cold War version, but one which has its own benefits.

Key questions for discussion at Wilton Park will include:

- 1** How has Transitional Justice changed and evolved over the last forty years, since the conclusion of the Cold War?
- 2** What has been the impact of changes in the international order on Transitional Justice?
- 3** What are the lessons from past instances of Transitional Justice for addressing contemporary conflict resolution and peacebuilding?
- 4** How do religious faith and other cultural beliefs shape contemporary TJ perspectives?
- 5** How can contemporary Transitional Justice appropriately address atrocities from conflict-related sexual violence?
- 6** How have changes in mediation and conflict resolution practices impacted Transitional Justice?
- 7** Given recent transformations in Transitional Justice in a contested LIO, what new partnerships and coalitions are required for an effective contemporary justice?

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⁶³ <https://transitionaljusticedata.org/en/>