



Kindly invite you to a seminar on

Human Rights and Transitional Justice in Latin America: Developing multiple strategies on the road from impunity to accountability

Wednesday 7 May 2014 (10:00-12:30)

**Faculty of Theology, St Michielsstraat 4, Leuven
Collegium Veteranorum, Romero Room (02.10)¹**

**Speakers: Prof. Naomi Roht-Arriaza (UC Hastings)
and Mr. Marcelo Torelly (University of Brasilia)**

**Chair: Prof. Stephan Parmentier (LINC)
Discussant: Prof. Koen Lemmens (LIHRICS)**

Seminar in commemoration of Walter Voordeckers (+ Guatemala, 12 May 1980)

1. Genocide on Trial in a National Court: Lessons from Guatemala in the Context of Latin America

The 2013 trial of Efraín Ríos Montt in Guatemala was the first time ever a former head of state was tried by the courts of his own country for genocide. The judgment has already started to circulate around the world, creating a legal precedent and contributing to the work of other national and international courts on the issue. Prof. Roht-Arriaza will discuss how and why the trial happened, some of the most salient legal and political issues, and how the trial fits into the increasing trend in Latin America to bring serious violators of human rights to trial.

¹ Participation is free, but we kindly ask you to register before 5 May with sonja.wellens@law.kuleuven.be.

Speaker: Naomi Roht-Arriaza is Distinguished Professor of Law, University of California, Hastings College of the Law. Professor Roht-Arriaza is the author of *The Pinochet Effect: Transnational Justice in the Age of Human Rights* (2005) and *Impunity and Human Rights in International Law and Practice* (1995), and coeditor of *Transitional Justice in the Twenty-First Century: Beyond Truth versus Justice* (2006). In 2011 Professor Roht-Arriaza was a Democracy Fellow at the U.S. Agency for International Development, and in 2012 she was a Senior Fulbright Scholar in Botswana. She is the president of the Board of the Due Process of Law Foundation and a legal advisor to the Center for Justice and Accountability. She earned a B.A. from UC Berkeley, a M.A. from the UC Berkeley Goldman School of Public Policy, and a J.D. from the UC Berkeley School of Law.

2. Transnational Legal Process and Constitutional Engagement: How Domestic Courts in Latin America Deal With International Human Rights Law

How do domestic legal regimes from Argentina, Brazil, Chile, and Mexico deal with international human rights law and, especially, with the Inter-American Human Rights System (IAHRS)? It is argued that that Argentina and Mexico are currently oscillating between *engaging* and *converging* their domestic human rights norms with international ones, while Brazil and Chile still oscillate between *resisting* or *partially engaging*. The processes of persuasion, demonstration and enforcement of norms in transnational legal processes are viewed as political processes in which domestic and international legal players, such as human rights NGOs, are in constant interaction using the IAHRS as a structural coupling between legal regimes and decoupling of political pretensions into new rights of a constitutional kind.

Speaker: Marcelo Torelly is currently a CNPq visiting academic at the Faculty of Law and the Latin American Centre, University of Oxford. He holds a J.D., Catholic University-Porto Alegre (PUCRS), an M.Sc. and is a Ph.D. candidate, Brasilia University Law School. Has been a visiting researcher at the Institute for Global Law and Policy, Harvard Law School. Marcelo Torelly served as head of the Historical Memory department at the Amnesty Commission of the Brazilian Ministry of Justice, and as Manager for the Transitional Justice Development and Exchange joint program between the Brazilian Federal Government and the United Nations Development Programme. His work on transitional justice is available in English, German, Portuguese, and Spanish.

This seminar is held in commemoration of Walter Voordeckers, a Flemish priest (C.I.C.M.) who was born in Turnhout (1939) and arrived in Guatemala in 1966. For nearly 15 years he worked with local communities to empower them in their struggle for better living conditions. Voordeckers was killed on 12 May 1980 after serving mass in his parish in Santa Lucia Cotzumalguapa. His case was investigated by the Commission for Historical Clarification (*Comision de Esclarecimiento Historico - CEH*) established to reveal the patterns of human rights violations in the country during the 34-year armed conflict (1962-1996). The CEH report specifically concluded that Voordeckers was a victim of state agents or of an armed group supported or tolerated by the state. It called on the Guatemalan authorities to adequately investigate and try this and other cases of human rights violations. The report's conclusions can be freely downloaded from: <http://shr.aaas.org/guatemala/ceh/report/english/toc.html>.

***The seminar is a joint organization of the Leuven Institute of Criminology
(Research Line on Human Rights and Transitional Justice) (LINC - www.law.kuleuven.be/linc)
and the Leuven Institute of Human Rights and Critical Studies
(LIHRICS - www.law.kuleuven.be/humanrights).
More information is available from Stephan.Parmentier@law.kuleuven.be***