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« THERE IS NO TOMORROW, WITHOUT YESTERDAY »

TRUTH COMMISSIONS, BEYOND DEALING WITH THE PAST:
CAN THEY PLAY A PREVENTIVE ROLE FOR TORTURE?

Case study of the Chilean Truth Commissions

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ABSTRACT

This thesis examines the linkage between torture prevention and transitional justice, more exactly, truth commissions. Even though torture is commonly prohibited by international law, its practice is still an issue states face. This thesis will argue the need to address the issue imminently after the end of the conflict or authoritarian regime. This key period, which is considered a transition to democracy, is crucial to the future practice of violations, especially torture. Truth commissions are tools of transitional justice that aim to reconcile society, and provide the means to access truth, justice and reparations to victims of human rights abuses. This research will also consider the relation between truth, justice and prevention. Much more remains to be done to challenge the impunity of states and individuals responsible for torture. The role that truth commissions play in addressing the practice of torture and its prevention in the aftermath of a conflict will thus be discussed throughout this work.

This thesis will provide a two-folded analysis:

1. A theoretical analysis of the linkage between prevention, and key concepts and mechanisms of transitional justice and truth commissions.
2. A focused case study of Chile and its truth commissions.