



Ending Torture. Seeking Justice for Survivors

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Oral Statement by REDRESS in the Interactive Dialogue on the Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence (A/HRC/21/46)

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Thank you Madam President.

REDRESS welcomes the opportunity to engage in this interactive dialogue, and congratulates the Special Rapporteur on his first report.

Mr de Greiff, we welcome your emphasis on the central importance of victims to the aims and the process of remedying past violations and the fact that the four elements under the mandate rest on established rights and obligations.

Accordingly, and as part of the victim-centered approach of the mandate, we urge you to explicitly adopt a 'victims' rights' orientation to your work. Firmly grounded in the international standards to which you refer, such an orientation will ensure that the centrality of victims' claims as rights holders to the often difficult issues under consideration will not be diluted.

We note that your report sets out a conceptual understanding of the aims of the four measures covered by your mandate. We suggest, and we see this reflected in your report, that a higher overarching aim of these measures is expressed as *achieving* the restoration of the rights of victims.

We note that your report focuses on societies in transition. Although this is the most common context in which these four measures will be pursued in a comprehensive manner, gross violations of human rights and serious violations of international humanitarian law may also need to be addressed in other contexts, and we hope that you will also consider these within your mandate.

We welcome your intention to consider the links between reparation and development and would emphasise the critical importance of distinguishing between measures with a developmental aim and reparations. We also suggest that there is a need to clarify the understanding of collective reparations by reference to international standards.

Finally, we draw States' attention to paragraph 54 of the Special Rapporteur's report, and the central importance of meaningful participation of victims in all their differences, in design and implementation of measures to achieving the goals of justice. Victims' rights to participate in the process of remedy and reparation are clearly established in international law, as conveniently set out in the UN Basic Principles on the Right to

Remedy and Reparation, and the Nairobi Declaration on Women and Girls' Right to a Remedy and Reparation. We stress also the importance of ensuring the protection of victims and witnesses in such processes¹ and would encourage the Special Rapporteur to consider such issues in the further elaboration of his work plan.

Mr de Greiff, we wish you every success with your important mandate and extend to you all possible support and collaboration. Thank you for your attention, Mr de Greiff and Madam President.

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¹See in particular UN General Assembly, *Report of the United Nations High Commissioner for Human Rights on the Right to the Truth*, 28 July 2010, A/HRC/15/33.