

Reparations and Assistance to Survivors of Human Rights Violations

Overview

Violations of basic human rights including rights to housing, land and property (HLP) have occurred in the majority of historic and current conflicts around the globe. Although frequently masked by ethnic hatred or political divisions, most of the conflicts are primarily driven by competition for scarce resources, including access to land and productive assets, or, in some cases, deep feelings of historical injustice and marginalization. They are typically characterized by massive human rights violations such as murder, indiscriminate attacks on civilians, torture and sexual violence, enforced disappearances and displacement, as well as destruction and dispossession of land and property. Addressing the above causes and consequences of conflict is a precondition for creating an environment suitable for sustainable peace and security, facilitating effective reconstruction and enabling durable solutions and social cohesion for displacement affected populations.

Reparations and humanitarian assistance to survivors of human rights violations programming aims to provide assistance to victims of human rights violations as a result of conflict, communal violence, organized persecution or systematic exploitation, often resulting in displacement and increased vulnerability. The eligibility of the beneficiary is based on public recognition of the perpetrated human rights violations on an individual or collective basis. The type and volume of assistance are determined on the basis of the victim's vulnerability profile, protection, reintegration, social inclusion and recovery needs.

Key Points

- Reparations and humanitarian assistance to survivors of human rights violations programming aims to provide assistance to victims of human rights violations as a result of conflict, communal violence, organized persecution or systematic exploitation, often resulting in displacement and increased vulnerability.
- Reparations programming encompasses several areas including technical support, assistance in policy making, capacity building, supporting consultative mechanism, and general development of efficient remedy models.
- Key programming principles include compliance with international standards, participatory approach, victim-centered orientation, feasibility, efficiency and effectiveness and the humanitarian-development-peace nexus (HDPN).

Key Considerations

Programming Principles

Compliance with international standards

Including the Inter-Agency Standing Committee (IASC) Durable Solutions Framework, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law; the Guidance Note of the UN Secretary General on Reparations for Conflict Related Sexual Violence; the Pinheiro Principles on housing and property restitution for refugees and displaced persons and International Human Rights Law (IHRL) and International Humanitarian Law (IHL) provisions.

Participatory approach

Ensuring meaningful and effective individual and community participation in the development of policies and mechanisms of redress of human rights and land and property rights violations.

Victim-centered orientation

Enabling design and implementation of programmes in accordance with victims' and beneficiaries' vulnerabilities, capabilities, needs

and expectations.

Feasibility, efficiency and effectiveness

Ensuring that the needs and expectations of an affected population are met by the governmental and institutional capacities and resources.

Humanitarian-development-peace nexus (HDPN)

Reinforcing collaborative, coherent and complementary programming through simultaneous engagement of stakeholders for increased impact and more efficient use of resources.

Operations

Reparations programming encompasses technical support to governments and local and international stakeholders in order to promote locally sensitive programme design and the transparent delivery of reparations measures; assisting in developing transformative and victim-centered restorative justice policies; supporting the design and implementation of consultative mechanisms; assessing and strengthening institutional capacities to implement transitional justice mechanisms; building administrative capacity for handling large numbers of claims; and general development of efficient remedy models (financial compensation payments, provision of in-kind benefits, access to healthcare services, and implementation of symbolic reparations).

Lessons Learned / Best Practice

[UN Right to Remedy and Reparations for Victims of Violations of IHRL and IHL](#)

[OHCHR Rule-of-Law Tools: Reparations Programmes](#)https://www.ohchr.org/Documents/Publications/NationalConsultationsTJ_EN.pdf

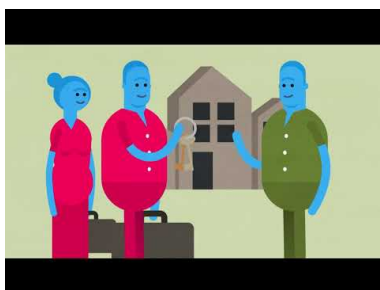
[ICJ Practitioner's Guide: Universal Right to Remedy and Reparation](#)

[UN Guidance Note: Reparations for Conflict Related Sexual Violence \(CRSV\)](#)

Links

- [Reparations and Assistance to Victims of Human Rights Violations SharePoint site](#)
- [Online Course: Introduction to Transition and Recovery Programming](#)

Media



[IOM and Transitional Justice – Land, Property and Reparations](#)

References and Tools

- [Transitional and Restitutive Justice Infosheet](#)

Contacts

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