

REDRESS

Ending torture, seeking justice for survivors

June 2025

JUST REPARATION

Strengthening the community of practice for reparation by sharing topical developments in the field



Just Reparation is a regular roundup of news on reparation, curated by the REDRESS legal team.

This edition highlights key developments in the field of reparation. These include the United Kingdom's expressed willingness to take Roman Abramovich to court over the proceeds from the sale of Chelsea Football Club, with the aim of securing reparation for victims of the war in Ukraine; a landmark decision by Mexico's Supreme Court ordering comprehensive and transformative measures in a femicide case; the establishment of a reparation program by Australia to compensate victims of violations committed by Australian forces during the war in Afghanistan; and a recent decision by the Inter-American Commission on Human Rights (IACHR), which found Argentina responsible for failing to provide reparation to victims of political persecution following the coup in Uruguay.

Additionally, this edition includes insights from the Southern Africa Litigation Centre on their strategic litigation in an individual case to demonstrate the challenges of the lack of typification of the crime of torture in Malawi and its consequences in the reparation for victims.

If you would like to contribute a short article for our *Community Corner* section, or if your organisation is hosting an event that you would like to share with our readers or in our social media, please contact our Legal Officer, Alejandro, at alejandro@redress.org.

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BIG STORIES



UNITED KINGDOM/UKRAINE

UK Government Ready to Take Abramovich to Court Over £2.5 Billion for Ukraine Victims

On 2nd June 2025, the UK stated that it is “fully prepared” to take former Chelsea Football owner and Russian billionaire Roman Abramovich to court over the £2.5 billion (approximately USD \$3.374) proceeds from the Club’s sale. As confirmed in a joint statement by the Chancellor Rachel Reeves and the Foreign Secretary David Lammy, the government is willing to resolve the impasse so that victims in Ukraine can “benefit from the proceeds as soon as possible”.

In March 2022, Abramovich [announced his decision to sell](#) Chelsea Football Club and donate the proceeds worth £2.5 billion via a charitable foundation “for the benefit of all victims of the war in Ukraine”. Shortly after, Abramovich was [granted a special licence](#) to sell the club, following the UK’s [sanctions against him](#) for his close connections to the Putin regime.

Three years later, the process to release the funds remains at a stalemate: the proceeds are frozen in a UK bank account and no charitable foundation has been set up to direct the funds to victims of Ukraine. The delay is due to a disagreement between the UK government and Abramovich’s lawyers as to whether the funds should be used “[exclusively for humanitarian purposes in Ukraine](#)” or directed to “all victims of the war”, including those in Russia.

REDRESS together with several Ukrainian and international organisations have [consistently called](#) for swift action from the government to release the funds to deliver reparation for victims of the conflict. Civil society has [urged](#) the UK government to engage Ukrainian civil society and victims, as well as [existing reparation mechanisms](#) in guiding the distribution of these funds.

Photo by: Commission Air/Alamy Stock Photo

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MEXICO

Mexico's Supreme Court Issues Landmark Reparation Ruling in Femicide Case of Fátima Quintana

On 14 May 2025, ten years after the femicide of 12-year-old [Fátima Varinia Quintana Gutiérrez](#), the Supreme Court of Mexico issued a [landmark ruling](#) that establishes comprehensive reparation measures and recognises Fátima's family as indirect victims, presuming the harm they suffered due to their close relationship with the victim. The order, as framed by the Court, adopts a transformative approach.

The unanimous decision by the First Chamber of the Supreme Court sets a historic precedent for reparation in femicide cases. It recognises the profound and far-reaching consequences of Fátima's murder, including the forced displacement of her family—a factor that contributed to the death of her younger brother, Daniel, in 2020. The Court ordered individual reparation measures for Fátima's family, including financial compensation and access to rehabilitation services. It also mandated broader structural measures to respond to the consequences of forced displacement, ensuring that victims of such human rights violations receive immediate assistance from authorities, such as medical and psychosocial support, financial aid, and access to housing under dignified conditions.

To guarantee non-repetition, the Court outlined a set of structural and community-level measures, including the installation of emergency alert systems, street paving,

child-accessible public transportation, security cameras, and community dialogues on gender-based violence. As stated in the ruling, these initiatives aim to promote long-term structural change for the safety and protection of women and girls.

Photo by: Adam Jones from Kelowna CC 2.0

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AUSTRALIA

Australia Launches Compensation Scheme for Afghan War Crimes Victims Committed by its Defence forces

On 15th May 2025, the Australian government has approved the [Afghanistan Inquiry Compensation Scheme](#) to provide compensation to families of murdered victims of war crimes committed by the Australian Defence Force (ADF) in Afghanistan. These include victims of unlawful killing, as well as individuals who suffered an unlawful assault or property damage by ADF members between 2005 and 2016, as established by the Inspector General of the Australian Defence Force in the [Afghanistan Inquiry Report](#).

The government has launched a [website](#) for victims and family members to receive compensation. Under the Scheme, compensation may include monetary payments, as well as non-monetary reparation such as building construction, apology letters, or formal acknowledgments. The Scheme does not require individuals to provide evidence of legal liability to request compensation.

The establishment of the compensation scheme [comes five years after](#) the official [governmental inquiry](#) into the allegations, concluding there was “credible information” that the ADF were involved in the unlawful killing of 39 captured

combatants and civilians in Afghanistan. In 2024, the delay was [highlighted by UN special mandate holders](#), who raised concerns over Australia's approach to compensation "as a form of charity at the discretion of its military" as opposed to "a legal right of victims under international law" and the absence of a requirement for victim consultation within the scheme.

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ARGENTINA

Argentina Urged to Fully Repair Historic Abuses Against Exiled Uruguayan Victims

On 4th June, the Inter-American Commission on Human Rights (IACHR) has published its [Merits Report](#), holding Argentina responsible for the political persecution and human rights violations committed against Julio César Rito de los Santos, Hugo Daniel Ferreira, and Nicasio Washington Romero Ubal. The Commission also found that Argentina's reparation mechanisms, which offered compensation to victims of political persecution in 1974, failed to meet international standards.

The three Uruguayan men had been exiled in Argentina following the 1973-1974 coup in Uruguay. In the mid-1970s, they were illegally detained, tortured, and persecuted for political reasons. Despite this, Argentine authorities later denied them compensation, arguing that their cases did not fall within the scope of the law covering victims of persecution during the 1975 State of Siege. The IACHR concluded that their detentions were unlawful and carried out without due process. It further

recognised that Romero Ubal was subjected to torture and emphasised the psychological harm it caused.

The IACHR recommended that Argentina provide the victims with comprehensive reparation, addressing both material and moral damage. In response to the Commission's findings, Argentina issued resolutions granting the victims benefits under the applicable compensation law. In addition, two of the men were awarded special pensions. However, Ferreira's pension application and compensation for physical injuries for all three men remain pending.

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COMMUNITY CORNER

We like to include the perspectives and insights of lawyers, activists, survivors, and others engaged in the field of reparation in **Just Reparation**. Alongside updates on progress in specific cases, your contributions are invaluable for enriching our collective understanding and fostering meaningful dialogue within the reparation community of practice. If you would like to feature in the next edition of **Just Reparation**, we encourage you to submit your contributions by 10 July 2025 to alejandro@redress.org.

When Justice Falls Short: Why Criminalising Torture Matters for Reparation in Malawi

By Vivian Kasunda, Criminal Justice Researcher at the Southern Africa Litigation Centre

Police abuse, such as torture, poses a serious concern that undermines the rule of law and aggravates human rights violations. Despite Malawi's constitutional provisions prohibiting torture and international obligations to protect human rights, torture and cruel, inhuman, and degrading treatment by law enforcement agencies are a lived reality in the country.

A key barrier to justice and accountability in such cases is the lack of explicit criminalisation of torture in Malawi's legal framework, which also limits the ability of victims to access full and effective reparation



On 25 April 2025, the Magistrate Court in *R v Mbewe and 2 Others Criminal Case Number 124 of 2024* found two police officers guilty of causing grievous harm and neglect of official duty for tying the hands of a 13-year-old child with a rubber belt for multiple days. This led to poor blood circulation and ultimately the amputation of both limbs. While the judgment might appear as a step toward accountability, it reveals the disconnect between Malawi's Penal Code - which lacks a penalisation of torture - and Malawi's international obligations to prohibit and penalise acts of torture.

Due to the lack of penalisation of torture, prosecutors rely on related offenses such as grievous harm or assault to hold perpetrators accountable. While these charges can lead to convictions, they do not fully capture the seriousness and gravity of torture or any cruel, degrading or inhuman treatment. The absence of a torture-specific penalisation and the lack of application of international law can further lead to the inconsistent application of the law.

Incorporating an offence of torture into Malawi's legal framework would align the country with international agreements it has ratified, such as the UN Convention against Torture, the African Charter, the ICCPR, as well as customary international law and *jus cogens*. It would also pave the way for effective remedies for victims and survivors. Including provisions for compensation related to physical and psychological harm, access to medical and psychological treatment, and processes for truth and reconciliation, is key to promote justice and full reparation for victims.

On 26 May 2025, the Magistrate Court issued its sentencing judgment, convicting the police officers to a term of ten years in prison. While a degree of justice has been achieved considering the absence of a specific torture offence, this case exemplifies how courts may fail to order for reparation for victims due to these legislative gaps.

To prevent such outcomes, SALC continues to advocate for the domestication of the crime of torture, the application of binding international law, and a clear domestic legal basis in the Penal Code to ensure a legal characterisation of acts of torture that

adequately reflects the seriousness and gravity of the conduct. SALC is also engaged in the civil case aimed at securing compensation for the survivor in this case.

OTHER STORIES

KOSOVO

Kosovo agrees to accept compensation claims from KLA war crime victims

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CHILE

President announces historic plan to address Mapuche land claims and reparation

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RUSSIA

Euroclear to Distribute \$3.4 B Frozen Russian Funds

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GAMBIA

Plans to Use Jammeh's Stolen Assets for Victim Reparation

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WEEKEND READS

Short film: **Tomorrow we continue** by ICTJ

The short film tells the story of a young Syrian mother of two navigating life as a refugee in Berlin, after her husband is detained and disappeared by Syrian security forces. Inspired by true accounts gathered from Syrians both inside and outside the country, the film captures the emotional burden of forced displacement and the relentless search for truth by families of the missing.



[Read more](#)

REDRESS Webinar series: Building Compensation Claims for Cases of Torture by REDRESS

REDRESS has launched the first in its new webinar series on Strategic Litigation in Practice. The June session focused on building a strong compensation claim in human rights cases. Julie Bardeche, REDRESS Senior Legal Advisor, shared practical insights on the key elements required when seeking compensation before human rights mechanisms. These included how to individualise victims, identify and categorise different forms of harm, gather relevant evidence, and estimate appropriate compensation amounts. The webinar also offered a comparative overview of how



various regional and international human rights bodies approach compensation claims.

[Read more](#)

Report:
Victims of Church abuse speak
(Part 3): is money the Church's
“magic fix”?

by Clémentine Méténier for
Justice Info.net

On October 5, 2021, France discovered the extent of sexual abuse in its Church. A commission (CIASE) reported 330,000 victims of clerics and nuns since 1950. Two bodies were quickly set up: the Independent National Authority for Recognition and Reparation (INIRR) for victims of priests and laity within the Catholic Church; and the Commission for Recognition and Reparation (CRR) for victims of abuse within religious congregations and institutions. Three and a half years on, victims spoke to Justice Info about their experiences with these commissions.



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EVENTS

[Here](#) are some upcoming events on strategic litigation against torture and other related topics that may be of interest to you.

Webinar Series



We launched a new webinar series to share REDRESS and partners' insights on the practical aspects of strategic litigation and reparation for torture survivors.

The second session, **Strategic Litigation Against Torture: Lessons from Landmark Cases**, will feature a panel discussion with leading practitioners to share their experience in litigating landmark torture cases included in our [Casebook 1: Leading Strategic Litigation Cases Against Torture](#). The panel will include Juan Méndez, Former UN Special Rapporteur on Torture (Velasquez Rodriguez v Honduras), Viviana Krsticevic, CEJIL Executive Director (La Cantuta v Peru), and Elba Bendo, EHRAC Lawyer (Khashiyev and Akayeva v Russia). It will be moderated by our Head of Law, Alejandra Vicente, and will take place on 10 July 2025 at 2:00 p.m. CET.

[Register here](#)

If your organisation is hosting an event and would like to share it with our community of practice through this newsletter or REDRESS social media, please send the details to our Legal Officer at alejandro@redress.org. Thank you for reading, see you next month!

Take a look at our previous editions [here](#).

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