

REDRESS

Ending torture, seeking justice for survivors

September 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 reparations. It covers the Netherlands' decision awarding reparations to Syrian survivors of crimes against humanity; the first judgment by Colombia's Special Jurisdiction for Peace (JEP) requiring former guerrilla members to engage in restorative activities; Kenya's appeal ruling on reparations for survivors of sexual violence during the 2007 post-electoral violence; the conviction of the former Minister of Justice in the Democratic Republic of Congo (DRC) for embezzling funds intended for victims' reparations; and a Sri Lankan decision granting compensation to a torture survivor.

The edition also features insights from People's Watch, India, on their experience pursuing compensation in a domestic case involving the torture and killing of a temple security guard wrongly accused of theft by police officers.

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



SYRIA/NETHERLANDS

Dutch Court Awards Damages to Syrian Survivors of Crimes Against Humanity

On 27 August 2025, the Hague Court of Appeal delivered a landmark [judgement](#), awarding €40,000 (approximately USD 47.350) to Syrian survivors of torture. The Court of Appeal partially upheld the District Court of The Hague's earlier decision convicting Mustafa A., a commander of the Liwa al-Quds militia—a paramilitary group that collaborated with the Syrian government during the civil war (2011-2017)—of multiple crimes against humanity. Those charges included the torture of a civilian, who was subjected to beatings, electrocution, and threats of summary execution. After his release, the victim required intensive care and underwent the amputation of two toes due to injuries from electrocution.

In 2024, the District Court of The Hague found Mustafa A. guilty of co-perpetrating the unlawful deprivation of liberty of a Syrian civilian, complicity in torture, and participation as a leader in a criminal organisation whose aim was to commit war crimes and crimes against humanity. He was sentenced to 12 years' imprisonment. However, the court declared the victims' claims for damages inadmissible, which, according to the Syria Justice and Accountability Center (SJAC), stemmed from a misinterpretation of Syrian tort law.

On appeal, the Hague Court of Appeal upheld the conviction, increased the sentence to 13 years, and issued a groundbreaking award of €40,000 in immaterial damages to the victims. The Court's decision relied in part on an expert report by SJAC, which clarified key aspects of Syrian tort law and

provided a sufficient legal basis for awarding damages. Among others, SJAC considered that this judgment underscores the critical role of civil society organisations in supporting justice processes and bridging gaps in the global pursuit of accountability for international crimes.

Photo by: Syria frames of freedom CC 2.0

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COLOMBIA

Colombia's Transitional Justice Jurisdiction Issued First Conviction with Restorative Measures

On 16 September 2025, the Special Jurisdiction for Peace (JEP, by its Spanish acronym) issued its first [conviction](#) since its creation in 2018, following the Colombian peace agreement with the former FARC guerrilla. The ruling concerned Case 001, related to the FARC's policy of kidnappings, which resulted in over 20,000 victimising acts, and included restorative measures for victims.

The JEP described the decision as historic: for the first time, the former FARC leadership faced justice and contributed to fact-finding. The court documented the scale of the crimes, their evolution, underlying dynamics, and their psychosocial, community, and territorial impacts. The convicted were held responsible for crimes against humanity and war crimes, including

killings, deprivation of liberty, hostage-taking, and enforced disappearances.

As part of their accountability, and in line with the Peace Agreement, the convicted will serve eight-year sanctions through participation in restorative projects: searching for missing persons, memorialisation, satisfaction measures, environmental restitution, and humanitarian demining. The [UN Secretary-General](#) welcomed the decision, calling it a milestone for innovative transitional justice mechanisms. One JEP judge highlighted its broader significance: “This justice demands much more from those responsible than simply being imprisoned: they had to publicly acknowledge their crimes, contribute to the truth, face the victims, and now work in their favour in the communities, with a commitment not to reoffend.”

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KENYA

Sexual and gender-based violence victims in Kenya still waiting on reparation for harms suffered

On 9 August 2025, the Court of Appeal of Kenya delivered its decision on a partial appeal in [Petition 122/2013](#), confirming that four survivors of post-election sexual violence are not entitled to compensation. The case concerns eight survivors who suffered sexual violence during Kenya's post-election

violence in 2007, perpetrated by both police officers and non-state actors. In December 2020, the High Court had ruled that three survivors whose perpetrators were police officers, and one survivor whose perpetrator was a non-state actor but whose case was promptly reported to the authorities, were entitled to compensation. However, the Court rejected the claims of the remaining four survivors, whose perpetrators were non state actors and whose cases were not promptly reported to the authorities.

On appeal filed in 2020, the survivors urged the Court to adopt broader forms of redress, including public acknowledgment, psychosocial support, and the establishment of a national database of victims. The decision contained several positive developments, such as the recognition of sexual violence as a form of torture, acknowledgment of the burdens survivors face in accessing justice, and the emphasis on comprehensive reparations, including measures of satisfaction and guarantees of non-repetition. Despite this, the Court declined to award compensation to the four remaining survivors, citing the limits of the State's duty to prevent.

In September 2025, the petitioners appealed to the Supreme Court, arguing that the Court of Appeal's ruling failed to hold the State accountable for sexual violence committed by non-state actors and to provide reparations to the victims. They contend that the decision creates additional hurdles for survivors of sexual violence, particularly in contexts of widespread violence, that are nearly impossible to overcome.

Photo by: UN OCHA

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DEMOCRATIC REPUBLIC OF CONGO

Former DRC Justice minister, convicted for embezzling funds earmarked for reparation

On 2 September 2025, the trial of the Democratic Republic of Congo's (DRC) former justice minister Constant Mutamba concluded with his conviction for embezzling nearly 20 million US dollars earmarked for reparations. The funds had been provided by Uganda as part of its compensation to Congolese victims of fighting between the Ugandan and Rwandan armies during the Second Congo Civil War in the 2000s. They were intended to be managed through the Fund for the Reparation of Victims of Uganda's Illegal Activities in the DRC (Frivao).

The case centred on Mutamba's embezzlement the public funds to finance the construction of a prison in the northern city of Kisangani, a process which likewise did not follow proper procedure. Before this case, in May 2024, then justice minister Mutamba [ordered a freeze](#) on all debit movements on the account citing suspicions of misappropriation and suspended the members of the Frivao steering committee.

The court found Mutamba guilty of embezzlement of public funds. He was sentenced to three years of forced labour, which in practice is converted into a prison term in the DRC, where forced labour is no longer implemented. In addition, he received a five-year ban from voting, holding public office, or standing for election.

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SRI LANKA

Reparations for Sri Lankan Boy who was Tortured in Custody

On 2 September 2025, the Sri Lankan Supreme Court held that the former Acting Officer-in-Charge (OIC) of the Hatharaliyadda Police Station violated the fundamental rights of a 16-year-old boy by subjecting him to wrongful arrest, torture, and unlawful detention. The Acting OIC was subsequently ordered to pay Rs. 300,000 (approximately USD 995) to the victim and an additional Rs. 75,000 (USD 248) to the victim's mother.

The minor was arrested on suspicion of stealing jewellery but was later acquitted following trial. Upon his arrest, the Acting OIC subjected the minor to severe physical and psychological abuse, including squeezing pepper mixed with water into the minor's eyes. The minor was also repeatedly struck with a wooden pole for refusing to confess. The Supreme Court successfully corroborated the minor's account with medical evidence and found that his ill-treatment in custody clearly violated his constitutional rights.

The Supreme Court ordered not only compensation to the victim but also to his mother as well as pay for the severe emotional distress of not being able to access her son during his detention. The Court further instructed the Inspector General of Police to establish guidelines regarding the arrest of a minor, including requiring that a minor has access to a parent or close relative within six hours of their arrest. This ruling and the grant of

significant reparations are meaningful steps in the Court's effort to end impunity for custodial torture.

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COMMUNITY CORNER

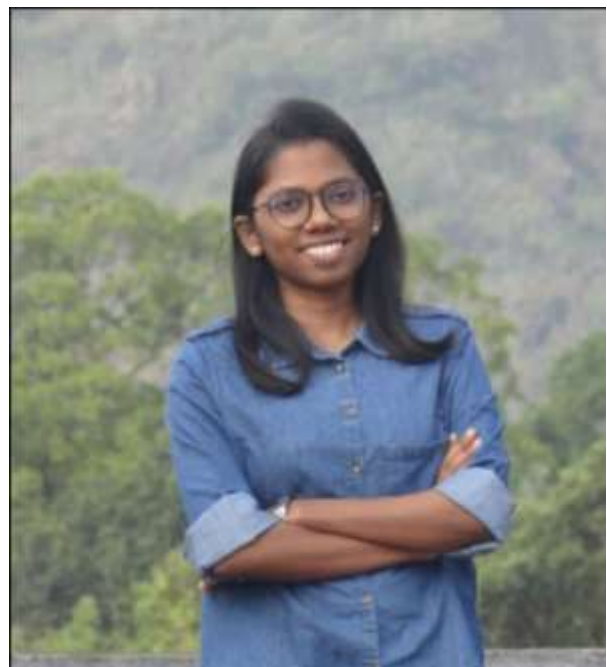
We like to include the perspectives and insights of lawyers, activists, survivors, and others engaged in the field of reparation in **Just Reparation**. Alongside updates on progress in specific cases, your contributions are invaluable for enriching our collective understanding and fostering meaningful 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 October 2025 to alejandro@redress.org.

Swift Court Action Rekindles Faith in India's Judiciary

By Grace Anu Backia J, Counselor, [People's Watch](#), India

On July 22, 2025, the Madurai Bench of the Madras High Court delivered a landmark order, a first of its kind in term in directing the state to pay an interim compensation of Rs. 2,500,000 (USD 28,349) to the family of the victim of a brutal custodial torture and murder- so far perhaps the first time a court directs such an award within a month of the incident.

The victim, Ajith Kumar was a temple security staff at the Thirupuvanam town of the Sivagangai district in Tamil Nadu, India. On 29 June 2025, he was "accused" of theft which was followed by the police brutally torturing him to death to extract a confession. Despite never confessing to the alleged crime, Ajith Kumar's ordeal ended in tragedy at the hands of those duty-bound to protect him.



The court's intervention in this matter has been swift and decisive. On 1st July, the Madurai Bench of the Madras High Court held an urgent hearing following an intervention by Joint Action Against Custodial Torture—a platform of 86 civil society organisations and political parties working against custodial deaths since June 2020. On 3 July, the court appointed a district judge to conduct an immediate inquiry, secure all evidence, and identify key witnesses, with the report submitted on 8 July 2025. In addition to awarding interim compensation swiftly, the court ordered protection for the victims' families, eyewitnesses, and advocates under the Witness Protection Scheme 2018, while ensuring continuous monitoring of the case.

The court has stepped up in this matter of gross violation of human rights, as the judge underscored the constitutional responsibility of the State, in this case, the police, in protecting the people rather than torturing them. He also stated, "When police go wrong, the state at large should be able to provide justice." The orders with regard to this case has once again reinstated the trust in the idea of justice in the court rooms. At a time when India lacks a separate legislation against torture, this move of the Madurai Bench of the Madras High court has highlighted the judiciary's innovative approach in safeguarding justice.

The case was initiated by the young advocates from the village of the victim, and been pursued since then by People's Watch, a civil society organisation that works with victims of torture in the country.

OTHER STORIES

SOUTH SUDAN

Advocacy to Ensure
Reparations for Children Born
of CRSV

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MEXICO

IACHR Applauds Mexico's Full
Compliance with Friendly
Settlement in Ismael
Mondragón Case

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AFRICA

UN Urges Immediate Action for Reparatory Justice for Africans and People of African Descent

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UKRAINE AND SLOVAKIA

European Court of Human Rights awarded compensation in two cases related to arbitrary detention

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MALI

Final Submissions on Reparations in the Al-Hassan Case Reviewed by ICC Trial Chamber X

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WEEKEND READS

REDRESS PUBLICATIONS

Victims of Al-Hassan Need Victim-Centred and Gender-Transformative Reparation

On 2 April 2012, Ansar Dine and AQIM - armed groups pursuing a jihadist ideology - took control of the city in Timbuktu, northern



Mali. Over the following nine months, Ansar Dine/AQIM imposed a system of Sharia-based rules and norms on the population, introducing harsh punishments for non-compliance, including public floggings and arrests., They also forced women and girls into “marriages” with their members - a disguise for subjecting them to rape and sexual slavery. On 26 June 2024, the Trial Chamber of the International Criminal Court (ICC) delivered its judgment against Mr Al Hassan, a high-profile member of Ansar Dine/AQIM’s Islamic police that played a key role in enforcing the group’s rules. This blog discusses the main arguments to ensure that the ICC adopts a victim-centred, gender-transformative, and contextually relevant reparation measures co-created with victims in its decision.

[Read article](#)

Sexual and Gender-Based Violence in the Context of Social Protest in Latin America

This report published by REDRESS, the Academy on Human Rights and International Humanitarian Law at American University Washington College of Law (AUWCL), and the Latin American Network for Gender-Based Strategic Litigation (ReLeG), exposes how sexual and gender-based violence (SGBV) has been systematically used as a tool of political and social repression in protests across Argentina, Chile, Colombia, Honduras, Mexico, Nicaragua, Peru, and Venezuela. The first study of its kind in the region, it highlights how SGBV is deliberately weaponised against women, LGBTIQ+ individuals, and other marginalised groups, coinciding with broader state efforts to shrink civic space through criminalisation of protesters, mass arrests, and impunity for security forces. Survivors often face silence due to fear, stigma, and lack of justice, perpetuating a cycle of violence that demands urgent accountability.

[Read more](#)



OTHER PUBLICATIONS

Victims' Rights, Redress and Accountability for the Climate Crisis: Lessons from Transitional Justice

by Rachel Killean

This blog explores how transitional justice scholarship and practice can provide insights into the importance, and challenges, of fulfilling victims' rights to redress. It considers i) the development of procedural rights in-so-far as they might apply to a climate context, ii) evolving practice around the meaning of reparation, iii) an emerging willingness to consider 'victims' as encompassing humans and other-than-humans, and iv) the potential role of individual criminal liability for ecocide in facilitating reparation.



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EVENTS

REDRESS WEBINAR SERIES

Inter-regional Experiences on Implementing Decisions by Human Rights Mechanisms



The webinar will consist of a panel discussion featuring four practitioners litigating before the Inter-American, African, European, and international human rights systems. These panellists will share their practical experience of implementing specific cases, as well as sharing their broader reflections and best practices to enhance effective implementation strategies. It will take place on **24 September 2025 at 2pm CET**.

The panel discussion will be followed by a Q&A session, allowing participants to engage directly with the speakers. Interpretation will be available in Spanish, Ukrainian, Arabic, and French. The session will also cover the content of our [Practice Note on Implementation of Decisions](#) and [Practice Note on Claiming and Implementing Reparation for Survivors of Torture](#).

[Register here](#)

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

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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