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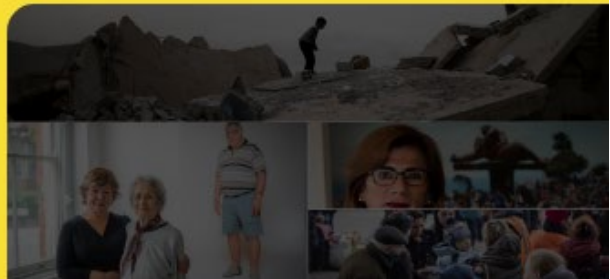
# REDRESS

Ending torture, seeking justice for survivors

## June 2024

### JUST REPARATION

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



Welcome to Just Reparation, our roundup of news on reparation curated by the REDRESS legal team. This edition covers reparation awarded for victims of enforced disappearance in El Salvador, the lack of reparation for LGBTIQ+ victims in Azerbaijan, the International Criminal Court's (ICC) ceremony to close the reparation phase in the Katanga case in Democratic Republic of Congo (DRC), the implementation of reparation for forced recruitment in Paraguay, and our partner's experience seeking reparation for discriminatory torture in Peru.

As we are sharing our 3rd issue, please help us to assess our work and improve by answering our survey below or by contacting our legal office at [alejandro@redress.org](mailto:alejandro@redress.org).

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## BIG STORIES



## EL SALVADOR

### **Inter-American Court of Human Rights orders reparation for victims of enforced disappearance**

On 16 May 2024, the Inter-American Court of Human Rights (IACtHR) communicated its decision in the Case of Cuéllar Sandoval y Otros v El Salvador, in which it held the State responsible for the enforced disappearance of three persons during the internal armed conflict in El Salvador between 1980 and 1991. As the disappearance of one of the victims was related to her human rights work as secretary of a Legal Aid Office during the conflict, the IACtHR found the State responsible for violating the right to defend human rights.

The IACtHR ordered El Salvador to provide comprehensive reparation, including to:

- Continue the criminal investigations to determine what happened and to identify, prosecute, and punish those responsible, ensuring the participation of victims or their families in the process.
- Provide rehabilitation measures and compensation to victims and

their families.

- Modify the “Monument to Memory and Truth” to record the victims’ names and dates of their disappearance.
- Ensure investigations into enforced disappearance are gender-sensitive, including by training public officials, security forces, and justice officials.

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## THE DEMOCRATIC REPUBLIC OF CONGO (DRC)

### Ceremony Marks the Completion of the Implementation of the ICC Reparations Order in the Katanga Case

On 24 April 2024, the ICC and the Trust Fund for Victims (TFV), with the support of several diplomatic missions and the government of the DRC, held a ceremony with approximately 200 victims to mark the culmination of reparation measures ordered by the ICC in the [Katanga case](#).

In 2018, the ICC confirmed its Reparations Order to provide individual symbolic compensation and collective reparation measures to victims of war crimes (murder, attacking a civilian population, destruction of property, and pillaging) and crime against humanity (murder), for which Germain Katanga was convicted.

The implementation process included individual payments of USD 250 as symbolic reparation, along with measures such as housing and educational support. The Reparation Programme "benefitted individuals who lost family members, who suffered physical and psychological harm, and who lost their homes, property and livestock as a result of the attack of 24 February 2003 on the village of Bogoro in Ituri Province, DRC, for which Mr Katanga was held liable as an accessory by the ICC."

As highlighted by the ICC President during the ceremony, this marks the first fully implemented Reparation Order by the ICC, representing a historic milestone for the Rome Statute's system.

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## AZERBAIJAN

### European Court of Human Rights Ignores LGBTIQ+ Victims' Calls for Reparation

In April 2024, REDRESS received news of the European Court of Human Rights' (ECtHR) [decision](#) to accept Azerbaijan's unilateral resolution of a case brought by LGBTIQ+ community members, despite the victims' arguments that the resolution fails to provide adequate reparation.

The case involved 25 applicants who were subjected to arbitrary arrest, ill-treatment, and forced medical examination in detention, in the context of police raids in Baku in September 2017, which were part of a crackdown on prostitution.

After negotiations for a settlement failed, the government proposed a 'unilateral declaration' under the ECtHR's rules, requesting the cases be closed. Azerbaijan's unilateral declaration included a general admission of violations and offered compensation.

However, the victims found this insufficient, arguing that the admission

lacked specificity, the compensation was inadequate, and no investigation was promised. They emphasized the significance of this being the first case against Azerbaijan regarding LGBTIQ+ rights, and that it deserved full consideration by the ECtHR. In a [third-party intervention](#), REDRESS and other organisations had also emphasized the relevance of addressing torture and ill-treatment against LGBTIQ+ persons.

Despite these objections and REDRESS' intervention, the ECtHR struck out the cases, missing an opportunity to thoroughly examine the alleged violations and provide comprehensive reparation to the victims.

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## PARAGUAY

### Friendly Settlement with Reparation Measures in Forced Military Recruitment Case is Fully Implemented

On 30 May 2024, the Inter-American Commission on Human Rights (IACHR) concluded the monitoring of compliance procedures in the case of Pedro

Antonio Centurión v. Paraguay due to the full implementation of a friendly settlement which provided reparation measures. This case involved the forced recruitment of a 13-year-old Argentinian child by the Paraguayan army, which resulted in the child's death due to "military contempt". Paraguayan authorities had failed to properly investigate and prosecute these events.

The friendly settlement, ratified by the IACHR in November 2018, included a range of reparation measures, such as compensation payments, public apologies, and acknowledgment of the State's responsibility. It also encompassed housing support, rehabilitation measures, and acts of satisfaction, including memorialisation and the installation of a commemorative plaque, among other initiatives.

According to the IACHR, the State has satisfactorily implemented the above measures and concluded its supervision. The IACHR also commended the parties' efforts during the negotiations and monitoring stages.

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## OTHER STORIES

### ESTONIA

**Estonia Parliament Backs Using Frozen Russian Assets for Ukraine**

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## COMMUNITY CORNER

This section is dedicated to sharing the perspectives, progress, and insights

of lawyers, activists, survivors and others engaged in the field of reparation. If you would like to feature here, we highly encourage you to submit your contributions by 30 May 2024 to [alejandro@redress.org](mailto:alejandro@redress.org). Your experience and input are invaluable to enriching our collective understanding and fostering a meaningful dialogue within the reparation community of practice.

## Litigation Experience in the Case of Azul Rojas Marín

**Edith Arenaza, Litigation Advisor, Promsex**

Azul's statement as a victim of human rights violations has been crucial for obtaining justice in the Inter-American Human Rights System. Azul's participation via video conference in the public hearing before the IACtHR during the examination of her case contributed to humanising the case, putting a face onto the violence she suffered. Additionally, her involvement in the process allowed the judges of the IACtHR to understand directly how the violence impacted Azul's life project and what kind of reparation measures are most appropriate in her case.



Azul's participation during the implementation stage has also been important. Her involvement in meetings with national authorities and monitoring hearings before the IACtHR highlighted the lack of action by the State and the obstacles related to the implementation of reparation.

Since her involvement in national and regional procedures, Azul has been



widely considered a human rights defender as her fight for justice and reparation has contributed to advancing international and national human rights standards in favour of LGBTBIQ+ persons.

Notably, Azul's participation in these processes has been voluntary, and she has been continuously supported by a psychologist, especially in the most challenging stages of the case. The litigation process has been centred in Azul as a survivor, focusing on Azul's needs, respecting her decisions, and creating psychological tools aimed at strengthening her self-esteem and security.

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## WEEKEND READS

### Realising Reparation for Survivors of Conflict-Related Sexual Violence

By REDRESS

This report examines the importance of Conflict-related sexual violence (CRSV) is pervasive in all armed conflicts, regardless of their location or nature. This report describes the main challenges faced by survivors and practitioners to realise reparation and identifies and promotes good practice to overcome those obstacles to ensure survivors receive reparation in practice. The report will be soon available in French, Nepali, and



Spanish.

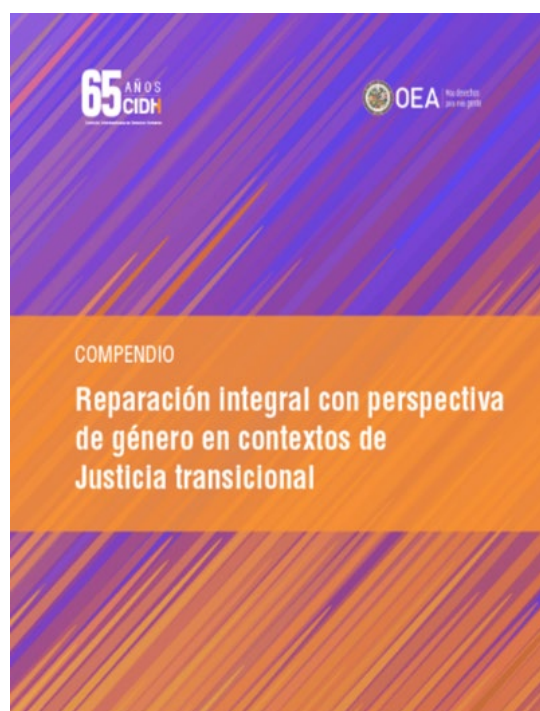
[Read the report](#)

## **Comprehensive Reparation with Gender Approach in Transitional Justice Contexts**

**by the Inter-American  
Commission of Human Rights**

The Compendium presents the historical work of the IACHR regarding comprehensive reparation in transitional justice contexts. It also highlights that the intensification of discrimination and violence against women in authoritarian, dictatorial, and armed conflict contexts necessitate adopting a gender perspective in the transitional justice measures following these scenarios.

[Read the compendium](#)



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