



Call for Papers

REPARATIONS IN INTERNATIONAL HUMAN RIGHTS LAW: A CRITICAL REFLECTION

2023 ESIL Interest Group on International Human Rights Law Workshop at the 18th Annual Conference in Aix-en-Provence

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Organizing Committee**

States have established new mechanisms to administer reparations beyond the inter-State paradigm, notably human rights courts, the International Criminal Court (ICC), and *ad hoc* institutions. The emergence of international human rights law and the designation of the individual as bearer of rights and obligations under international law have also created a new dynamic in the international law of reparation. Reparation has been recognised as part of a victim's right to a remedy and enshrined in treaties like the ICC's Rome Statute. This codification builds upon the practice of many States after World War II, which provided reparations to war victims by establishing public compensation schemes, restitution of property, satisfaction through criminal trials, the building of monuments, and the creation of national days of remembrance. Across the Americas, a wave of reparations was implemented as part of transitional justice processes in numerous States, including Argentina, Chile, and Colombia. The Inter-American Court of Human Rights continues to award tailored and progressive reparations to victims.

At the same time, soft law instruments adopt a new approach to the topic, actively contributing to shaping the contemporary law of reparation. The General Assembly Resolution 60/147 set out the 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 Human Rights Council has through various channels undertaken the task of further studying the issue. The Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-occurrence has recently launched a call for inputs on the financing of reparations owed to victims of serious violations of human rights and humanitarian law.¹ While a report is drafted on the minimum international legal standards underpinning the pillars of

¹ <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-financing-reparations-owed-victims-serious-violations-human-rights>

transitional justice, including reparation,² HRC resolutions also raise the issue of the creation of funds that will deal with reparations of human rights violations.

In response to such developments, scholars and practitioners have argued that there is a need to reassess the basic principles and rules relating to reparation. We invite papers that critically reflect on the normative evolution of reparations, with a focus on human rights law and institutions.

We welcome contributions that explore the ways in which traditional forms of reparation (restitution, compensation, and satisfaction) have been (re)interpreted and applied in fields reflecting broader community values, like human dignity and rights. We also invite contributions that explore new forms of reparations such as rehabilitation and collective reparations. Finally, we invite submissions on recent efforts to repair historical wrongs – such as reparations for colonial times, slavery, oppression - and the ways in which the legal principle of reparation has been conceptualised in support of these claims.

The Interest Group is unable to provide funding for travel and accommodation. Selected speakers will be expected to bear the costs of their own travel and accommodation. Some ESIL [travel grants](#) and ESIL [carers' grants](#) will be available to offer partial financial support to speakers who have exhausted other potential sources of funding.

Please see the [ESIL website](#) for all relevant information about the conference.

All participants at ESIL Interest Group workshops are required to register for the Annual Conference. There will be an option to register just to attend the IG workshops; however, all participants are warmly invited to attend the entire event.

Selected speakers should indicate their interest in being considered for the ESIL Young Scholar Prize, if they meet the [eligibility conditions](#) as stated on the ESIL website. The ESIL Secretariat must be informed of all selected speakers who wish to be considered for the Prize before 30 April.

Applications: The following must be submitted to o.spijkers@luc.leidenuniv.nl by 25 April 2023:

- The author's name and affiliation.
- A 500-700-word abstract in Word file or PDF.
- The author's CV, including a list of relevant publications.
- The author's contact details, including email address and phone number.
- Whether the author is an ESIL member.

² <https://www.ohchr.org/en/calls-for-input/2023/minimum-international-legal-standards-underpinning-pillars-transitional>

Multiple abstracts from the same authors will be considered, but only one can be selected. Co-authored multidisciplinary papers are also welcomed. Applicants will be informed of the Organizing Committee's decision no later than 15 May 2023.

Publication opportunities: We, the members of the Organizing Committee, have publication plans for the presented papers. The precise format of publication will be discussed during the conference.

Organizing Committee

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