



Side event

“Reparation to Individuals for Violations of International Human Rights Law and International Humanitarian Law”

Co-sponsored by the Permanent Missions of Chile, Portugal, Spain and Turkey to the United Nations

**Tuesday, October 23, 2018,
Conference Room 6 United Nations
1:15 to 2:45 p.m.**

Panelists: Members of the International Law Commission Ms. Concepcion Escobar Hernandez, Ms. Patricia Galvao Teles, Mr. Claudio Grossman and Ms. Nilufer Oral

In 1927, the Permanent Court of International Justice in the *Chorzów Factory* case declared, “It is a principle of international law that the breach of an engagement involves an obligation to make reparation in an adequate form. Reparation therefore is the indispensable complement of a failure to apply a convention and there is no necessity for this to be stated in the convention itself.” Reparation is a pillar of international law. As the individual emerged as a subject of international law, a development also took place regarding reparation. The Articles on State Responsibility for Internationally Wrongful Acts, adopted in 2001, recognizes the possibility that reparation may be owed directly to individuals, in article 33.

International human rights law and international humanitarian law have embraced the principle of reparation and even expanded traditional mechanisms of reparation in response to the nature of the violations. At the universal level as well as in regional frameworks reparation for individuals has been recognized, including v.g. the interamerican system of protection of human rights. The treatment of reparation to individuals in these fields is extensive yet varied. The purpose of this event is to explore the topic of “reparation to individuals for violations of international human rights law and international humanitarian law” both theoretically and practically. The goal of this side event is to analyze the status of this important field in order to promote further development in an area of relevance for the international community.

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