

The right to reparation in international law for victims of armed conflict

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Abstrak

In this evaluation of the international legal standing of the right to reparation and its practical implementation at the national level, Christine Evans outlines State responsibility and examines the jurisprudence of the International Court of Justice, the Articles on State Responsibility of the International Law Commission and the convergence of norms in different branches of international law, notably human rights law, humanitarian law and international criminal law. Case studies of countries in which the United Nations has played a significant role in peace negotiations and post-conflict processes allow her to analyse to what extent transitional justice measures have promoted State responsibility for reparations, interacted with human rights mechanisms and prompted subsequent elaboration of domestic legislation and reparations policies. In conclusion, she argues for an emerging customary right for individuals to receive reparations for serious violations of human rights and a corresponding responsibility of States.