

CONCEPT NOTE

High-Level Event

**Reparations are affordable:
Innovative solutions to finance reparations
owed to survivors of conflict-related sexual violence**

**Organised during the 78th Session of the United Nations General Assembly
22 September 2023**

In-person attendance: 10:30 am–12.15 pm EST; Lunch reception: 12:15 pm–1:00 pm EST
The event will also be livestreamed: 10:30 am–12.15 pm EST / 4.30 pm–6.15 pm CET

New York City Bar Association, 42 West 44th St., New York, NY 10036

The context

In active armed conflicts around the world, sexual violence is being used as a weapon of warfare; it is often committed purposefully and is used as a tactic to create maximum harm. It leaves physical and psychological scars that can last a lifetime if not addressed. The 14th Report of the United Nations Secretary General on Conflict-Related Sexual Violence listed 2,455 cases of conflict-related sexual violence in 2022 alone; this figure does not reflect the scale or prevalence of the crime. Survivors and victims of these brutal human rights abuses need action now to address the multiple harms they have suffered, and to start rebuilding their lives in dignity.

All too often, reparations are cast aside, despite being a right and a priority for survivors of conflict-related sexual violence. Perpetrators, those complicit with crimes, and States themselves, have a legal and moral responsibility to provide survivors with adequate, prompt, and effective access to reparation. It is undisputed that State-led administrative reparation programmes can offer timely, survivor-centric, efficient, and comprehensive measures that give survivors a sense of recognition and justice. However, perceived challenges to the implementation of administrative reparations programmes range from the costing of reparations, legal and legislative hurdles, and the securing of sufficient, sustainable financing.

The solutions

In Guinea, the Democratic Republic of the Congo, Iraq, the Central African Republic and Türkiye (for Syrian survivors), Global Survivors Fund (GSF) has co-created, with survivors, interim reparative measures projects. Whilst not reparation in the legal sense, since they are not provided by duty-bearers, these projects show that reparations are possible, affordable, and have life-changing impacts. As main duty-bearers, States can and should multiply these efforts. GSF has calculated the figures on how to make reparations a reality, using Colombia and Iraq as examples where the Government has stepped up.

The invasion in Ukraine has created unprecedented momentum to explore novel and alternative ways to finance reparations. In addition to seeking reparations from another State, or assistance from the international community, reparations can be funded through the imposition of penalties for breaching sanction regimes, the international law of state countermeasures, and the confiscation of assets which may subsequently be repurposed for reparation after due process

of law. The magnitude of wealth contained in this pool of perpetrators' assets worldwide makes the repurposing of assets a game-changer in addressing reparation financing concerns.

Event outline

To highlight these issues, GSF is organising a high-level side-event during the 78th Session of the United Nations General Assembly. Organisations and Member States that have agreed to co-sponsor the event include the Governments of Colombia, Sierra Leone, Ukraine and the U.S.A., the Special Representative of the Secretary-General on Sexual Violence in Conflict, the United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the New York City Bar Association and civil society organisations, including REDRESS and Universal Rights Group.

The event will consider critical challenges, opportunities, and actionable recommendations for sustainable financing of reparations. GSF will also present the preliminary findings of its costing study analysis, detailing how some leading domestic reparation programmes have been funded, their shortcoming but also the opportunities identified, with a focus on, for example, Colombia and Iraq. The critical role of the international community, the private sector and financing institutions in creating the architecture for comprehensive reparations programme will be discussed. Finally, pathways toward the repurposing of perpetrator's assets will be examined.

Objectives

1. To reflect on the challenges and opportunities faced in the costing and financing of reparation for survivors of conflict-related sexual violence and other victims of serious violations of human rights and humanitarian law;
2. To demonstrate that reparations are affordable by exploring novel and alternative financing options, spotlighting progressive legislation and practice regarding the repurposing of assets, and sharing policy recommendations;
3. To create a platform for positive dialogue and exchange between survivors of conflict-related sexual violence and policy- and decision-makers.

Format

This 105-minute event will bring together survivors of conflict-related sexual violence, representatives of the United Nations and its Member States, reparations and international law experts, and civil society organisations. Opening remarks will be delivered by a number of high-level speakers and survivors. Two interactive dialogues will follow.

The first dialogue will focus on reparations costing and financing. This will be an opportunity to learn how States have been able to successfully cost and implement reparations programmes, and where the international community and third-party organisations can step up.

The second dialogue will bring together experts on the legal and legislative aspects of repurposing of assets. The panel will discuss the conflict in Ukraine, how sanctioned assets, penalties imposed for breaches of sanction regimes, and assets confiscated based on other policy or legal decisions can be used to finance reparations for survivors of conflict-related sexual violence and other victims. A short audience Q&A will follow the discussion.

This in-person event will take place on **Friday 22 September 2023 from 10:30 am-12:15 pm EST**, in New York, and will be followed by a lunch reception at the venue. The discussion will also be livestreamed online at **10:30 am-12:15 pm EST / 4.30 pm-6:15 pm CET** [through Zoom]. Simultaneous interpretation will be available in Arabic, English, French and Spanish.

Background on GSF

The Global Survivors Fund (GSF) was founded in October 2019 by Dr Denis Mukwege and Ms. Nadia Murad, the 2018 Nobel Peace Prize laureates. Its mission is to enhance access to reparations for survivors of conflict-related sexual violence around the globe, thus seeking to fill a gap long identified by survivors. GSF acts to provide interim reparative measures in situations where States or other parties are unable or unwilling to meet their responsibilities. GSF advocates also for duty bearers, as well as the international community, to develop reparations programmes, and provides expertise and technical support to guide States and civil society in the design of reparations programmes. GSF's unique co-creation model and survivor-centric approach is the cornerstone of its work.

For more information:

www.globalsurvivorsfund.org

<https://www.un.org/sexualviolenceinconflict/>

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