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Solutions are available to provide survivors of conflict-related sexual violence with reparation

New York, 22 September 2023 – The lack of sustainable funding to finance State-led reparation programmes should no longer be an obstacle to fulfilling the right to a remedy and reparation for survivors of conflict-related sexual violence, argued civil society organisations, survivor activists, government and United Nations representatives and international lawyers today.

At a high-level side event to the 78th UN General Assembly, organised by the Global Survivors Fund (GSF) and its co-sponsors in New York, experts in the fields of international law and finance convened to debunk the notion that the right to reparation, to which survivors are legally entitled to, cannot be realised because it is too costly.

Reparations are affordable and responsible governments and the international community must seize the opportunities available for financing them. At “Reparations are affordable: Innovative solutions to finance reparations owed to survivors of conflict-related sexual violence”, activists, experts, and officials discussed both traditional and innovative methods of financing that could offer abundant and sustainable funding.

“There is a misconception that reparations owed to survivors of conflict-related sexual violence and other gross violations of human rights are not affordable and we need to dispel that myth,” said Esther Dingemans, Executive Director of GSF. “Reparations have been financed in the past, but we often face contention over funding. Innovative financing mechanisms are available, and decision makers must use them.”

“It is unacceptable to pretend the money isn’t there and fail to meet victims’ basic human rights. From debt swaps, to targeted taxation on conflict-related industries, and the repurposing of assets, there are many ways in which States can fulfil the right to a remedy and reparation for survivors,” she added.

A main avenue that must be explored is the repurposing of perpetrators assets. The assets of perpetrators and their associates which have been frozen, seized, and sanctioned by States could be confiscated following due process of law and used to repair the harms they committed. The use of fine monies for breach of sanctions regimes alone could be a game-changer. The wealth amassed by those who commit or are otherwise involved in the gravest of human rights violations - including conflict-related sexual violence - cannot remain idle in bank accounts or flow through financial centres with total impunity.

From climate change to pandemics, creative alternatives to financing today’s challenges have been put to use. Reparations must be included in conversations on innovative solutions for global challenges. Debt swaps, debt cancellation, the issuance of social or impact bonds, repurposing of sanctioned assets or fines for breach of sanctions, offer viable financing pathways.

Leaders and policymakers must come together to pursue all available pathways to finance reparations and States must fulfil their' legal and moral obligation to provide reparation to survivors, the panellists argued.

"There is a historical debt owed to survivors of sexual violence, and States have not done enough or had the will to resort to the innovative solutions available to them to make timely and comprehensive reparations," said Jineth Bedoya Lima, a survivor activist and United Nations Global Champion for the prevention of conflict-related sexual violence.

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Media contact: Sarah-Eve Hammond, shammond@globalsurvivorsfund.org, +41 762 94 94 85

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