REHABILITATION AS A FORM OF REPARATION:
OPPORTUNITIES AND CHALLENGES

PROGRAMME

Essex University, Room 4.s.b.5.3, Square 4
9 September 2010

8.45 – 9.00 COFFEE/ARRIVAL

9.00 – 9.30 WELCOMING SESSION

- Dr. Fabian Freyenhagen, Lecturer in Philosophy, Department of Philosophy and Human Rights Centre, University of Essex, Co-Convenor of the ETJN
- Ms. Carla Ferstman, Director, REDRESS
- Dr. Clara Sandoval, Senior Lecturer, School of Law, University of Essex and Co-Convenor of the Essex Transitional Justice Network
  Presentation of the report she authored for REDRESS, ‘Rehabilitation as a Form of Reparation under International Law’ (2009)

9.30 – 11.00 UNDERSTANDING THE NEEDS OF VICTIMS WHO REQUIRE A REHABILITATION FRAMEWORK

This session considers the different needs of victims of gross human rights violations and international crimes identified by people working on rehabilitation either as a form of reparation or as assistance.

Chair: Mr. Keith Best, Chief Executive, Medical Foundation for the Care of Victims of Torture

Speakers (9.30 – 10.15)

- Dr. Nora Sveaass, Member of the Committee against Torture, Associate Professor of Psychology at the University of Oslo, and Chair of the Norwegian Psychological Association’s Human Rights Committee
  Where ethics, health care and international law meet: How can we secure rehabilitation to victims of torture?
- Dr. Daya Somasundaram, Consultant psychiatrist at Glenside Hospital, Supporting Survivors of Torture and Trauma (STTARS) and Clinical Associate Professor at the University of Adelaide
Preliminary Thoughts on Psychosocial Rehabilitation after Mass Atrocities

- Ms. Nomfundo Mogapi, Head of Trauma Clinic, Centre for the Study of Violence and Reconciliation, South Africa
  *Psychosocial rehabilitation with survivors of gross human rights violations in developing countries: Challenges and lessons learnt from South Africa*

Group discussion (10.15 – 11.00)

11.00 – 11.15 COFFEE BREAK

11.15 – 12.45 THE EXISTING INTERNATIONAL LEGAL FRAMEWORK, ITS MACHINERY AND THE GAPS AND CHALLENGES FACED IN RELATION TO REHABILITATION

This session discusses the status and scope of rehabilitation as a form of reparation under international law and considers the way international bodies have dealt with rehabilitation.

**Chair:** Ms. Lorna McGregor, International Legal Advisor, REDRESS

**Speakers (11.15 – 12.15)**

- Professor Theo van Boven, University of Maastricht and former Special Rapporteur of the United Nations Sub-Commission on the Rights to Restitution, Compensation and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms (joining by teleconference)
  *The Right to Rehabilitation in the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Violations of International Human Rights and Humanitarian Law and Other International Instruments*

- Professor Sir Nigel Rodley, Chair of the Human Rights Centre, Member of the ETJN, University of Essex and of the UN Human Rights Committee
  *The approach of the Human Rights Committee to rehabilitation as a form of reparation*

- Dr. Clara Sandoval, Senior Lecturer, University of Essex, Co-Convenor of the ETJN
  *The Right to Rehabilitation in the jurisprudence of regional human rights courts*

Group discussion (12.15 – 12.45)

12.45 – 14.00 LUNCH - Law Common Room – School of Law

14.00 – 15.45 POLICIES ON REHABILITATION AT THE NATIONAL AND INTERNATIONAL LEVEL

This session considers existing policies on rehabilitation at the international level and domestic level. In particular, it looks at the policy/experience of the United Nations’
Voluntary Fund for Victims of Torture and the International Criminal Court. It also considers the national practice of both countries dealing with mass atrocities such as Chile and states hosting large numbers of refugees, such as the UK. It will also consider the approach of leading NGOs in this field such as the International Rehabilitation Council for Torture Survivors. The session will canvas whether these different practices result from the belief that rehabilitation is a key element of the right to reparation and will analyse the key components of such policies.

Chair: Professor Paul Hunt, University of Essex and former UN Special Rapporteur on the Right to Health

Speakers (14.00 – 15.15)

- Ms. Christine Evans, UN Voluntary Fund for Victims of Torture  
  *Reflections on the UN Voluntary Fund for Victims of Torture*

- Ms. Fiona McKay, Chief of the Victims Participation and Reparations, Registry of the ICC  
  *The ICC approach to reparations and rehabilitation*

- Professor Elizabeth Lira, Centre for Ethics, Alberto Hurtado University, Chile  
  *Rehabilitation in the Chilean administrative reparation programme*

- Dr. Brock Chisholm, Clinical Psychologist, Traumatic Stress Clinic  
  *Meeting the psychological and social needs of torture survivors: challenges to UK statutory services*

- Ms. Miriam Reventlow, Legal Advisor, International Rehabilitation Council for Torture Survivors (IRCT)  
  *Challenges in Defining Rehabilitation*

Group Discussion (15.15 – 15.45)

15.45 – 16.00 COFFEE BREAK

16.00 – 17.30 CONSIDERING WAYS FORWARD

Open discussion about research and work that needs to be done to clarify the scope of rehabilitation under international law and help in its delivery at the international and domestic level

Chair: Dr. Clara Sandoval and Ms. Carla Ferstman