



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "

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Agenda Item 8, General Debate

ICJ Oral Statement in the General Debate under Item 8: Access to justice for victims of human rights violations

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Madam President,

The International Commission of Jurists (ICJ) observes that one of the key focuses of the Vienna Declaration and Programme of Action (VDPA) is on the need for every State, individually and collectively, to provide victims of human rights violations with access to justice, including through the provision of effective remedies and reparations. The UN General Assembly affirmed by consensus in 2005 that this obligation is incumbent on all States (GA Resolution 60/147).

The ICJ is nevertheless concerned that the Human Rights Council has paid insufficient attention to this question in the context of recent action on emergency and chronic human rights situations. Five special sessions have so far been convened in 2011 and 2012. They have properly considered the question of fact-finding and accountability. However, in only one of the resulting resolutions, concerning the situation of human rights in the Libyan Arab Jamahiriya, has there been any reference to justice for victims.

While some thematic resolutions of the Council refer to victims' access to effective remedies, including those now under negotiation concerning violence against women and the trafficking of persons, the more widely-applicable question of access to justice for victims has received inadequate attention from this Council, in light of the promises of the VDPA and the Council's mandate to promote respect for human rights and fundamental freedoms in General Assembly resolution 60/251 (2006).

The ICJ therefore calls on the Council to systematically consider the question of access to justice in all of its work and to further consider how the strengthening of existing, and development of new international mechanisms, such as a World Court on Human Rights, might ensure that access to effective remedies and reparations is truly effective and enforceable.

I thank you.

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