REPARATION FOR VICTIMS OF ARMED CONFLICT

Are victims of armed conflict entitled to reparation, which legal rules govern the question, and how can reparation be implemented? These key questions of transitional justice are examined by three scholars whose professional, theoretical, and methodological backgrounds and outlooks differ greatly. They discuss how regional human rights case law, international criminal law, the practice of *ad hoc* international bodies, and domestic practice give rise to a right to reparation. This right emerges out of the interplay between international and domestic law. The problems of mass claims, fragile statehood, and the high risk of marginalisation of particular groups of victims are addressed. The analysis is alert to the current backlash against international legal institutions, and to the practical constraints in making post-conflict law work. The multiperspectivism of the trialogical setting exposes the divergence and complementarity of the authors' approaches and leads to a richer understanding of the law of reparation. This title is also available as open access on Cambridge Core.

Cristián Correa is a senior expert at the International Center for Transitional Justice. He works on how to address the consequences of massive human rights violations in countries such as Côte d'Ivoire, Kenya, Sri Lanka, Colombia, Mexico, and Peru. Before, he faced similar challenges as an advisor at the Presidency of Chile and at the National Commission on Political Imprisonment and Torture.

Shuichi Furuya is a professor at Waseda Law School, and a member of the UN Human Rights Committee and of the International Humanitarian Fact-Finding Commission under the 1st Additional Protocol to the Geneva Conventions. He was a Co-Rapporteur of the ILA Committee on Reparation for Victims of Armed Conflict (2004–14). From the perspective of both international human rights law and humanitarian law, he is an expert on reparations issues.

Clara Sandoval is a professor at the School of Law and Human Rights Centre at the University of Essex. She also teaches at the Geneva Academy. Clara has served as an expert on reparation before international tribunals such as the ICC and the Inter-American Court. She litigates before the Inter-American System, and has worked as a consultant for various UN bodies on reparation questions.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 18:01:47, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781108628877

MAX PLANCK TRIALOGUES ON THE LAW OF PEACE AND WAR

In a *Max Planck Trialogue*, three authors discuss one topic within the international law surrounding armed conflict. Each trio is composed so as to engage different modes of legal thinking, intellectual paradigms, regional backgrounds, and professional specialisation. By bringing the pluralism of premises and methods to the fore, the *Trialogues* facilitate the emergence and global refinement of common legal understandings.

Series Editors

Professor Anne Peters
Max Planck Institute for Comparative Public Law and International Law

Dr Christian Marxsen
Max Planck Institute for Comparative Public Law and International Law

A list of books in the series can be found at the end of this volume.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 18:01:47, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781108628877

Reparation for Victims of Armed Conflict

CRISTIÁN CORREA
International Center for Transitional Justice, New York

SHUICHI FURUYA
Waseda University, Tokyo

CLARA SANDOVAL
University of Essex, Colchester, UK

CAMBRIDGE
UNIVERSITY PRESS

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 18:01:47, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781108628877



University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,
New Delhi – 110025, India

79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781108480956
DOI: 10.1017/9781108628877

© Cristián Correa, Shuichi Furuya and Clara Sandoval 2021

This work is in copyright. It is subject to statutory exceptions and to the provisions of relevant licensing agreements; with the exception of the Creative Commons version the link for which is provided below, no reproduction of any part of this work may take place without the written permission of Cambridge University Press.

An online version of this work is published at doi.org/10.1017/9781108628877 under a Creative Commons Open Access license CC-BY-NC 4.0 which permits re-use, distribution and reproduction in any medium for non-commercial purposes providing appropriate credit to the original work is given. To view a copy of this license, visit Deed – Attribution-NonCommercial 4.0 International – Creative Commons

All versions of this work may contain content reproduced under license from third parties. Permission to reproduce this third-party content must be obtained from these third-parties directly.

When citing this work, please include a reference to the DOI 10.1017/9781108628877

First published 2021

A catalogue record for this publication is available from the British Library.

ISBN 978-1-108-48095-6 Hardback
ISBN 978-1-108-70364-2 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 18:01:47, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781108628877