I. Introduction

The International Center for Transitional Justice (ICTJ) and the International Development Research Centre (IDRC) invited 70 participants, including Canadian policymakers, researchers, and activists, to discuss the findings of a two-year research project on reparations and transitions to democracy. The ICTJ project, financed in part by IDRC, is the first comprehensive global study of reparations programs. The symposium program featured presentations on specific countries, such as South Africa, Peru, and Canada, as well as thematic issues, such as the financing of reparations programs. The summary below focuses on the key dilemmas and debates that emerged over the course of two days of discussion.

II. Reparations and Justice for Victims

While a great deal of attention has been paid to what countries that have undergone transitions to democracy have attempted to do against perpetrators of past abuses, much less attention has been paid to these countries’ efforts to do something on behalf of the victims of such abuses. Clearly, both kinds of efforts, the criminal and the reparative, can be considered elements of justice, but the latter has not received sufficient systematic attention. Surprisingly, this is true despite the fact that most of the recent transitional processes have given some consideration to programs of reparations that seek to make up, in some way, for the harms endured by some members or sectors of society.

Reparations programs may consist of a combination of material and symbolic measures that specifically address the harm suffered by victims of human rights abuse. Material reparations can

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1 The ICTJ has conducted a two-year comprehensive study of reparations programs around the world, including Argentina, Brazil, Chile, the failed programs in El Salvador and Haiti, Germany post WWII, Germany for forced labor, South Africa, Malawi, US-Japanese-Americans, US-September 11th, and the United Nations Compensation Commission resulting from Iraq's invasion and occupation of Kuwait. This has included collecting primary documents and reparations legislation, documenting country studies, and exploring ten thematic issues within reparations, including psychosocial aspects of reparations, the relationship between reparations and civil litigation and reparations for gender-based violence. The project will be published as a three-volume collection, Repairing the Past edited by Dr. Pablo de Greiff, in Winter 2004/Spring 2005
include rehabilitation, restitution, and compensation. Symbolic reparations often include official apologies, designating days of remembrance, construction of memorials and appropriate reburial services. Reparations programs may be complex, in that they include a variety of different and complementary benefits that address victims' needs and may be distributed to individuals, groups, or both.

Reparations are often perceived to be a luxury that only affluent countries can afford; too expensive for most countries emerging from authoritarian regimes or conflict. Many observers conclude that the financial, political, and logistical obstacles to an effective reparations program are so insurmountable that resources are better spent on other transitional justice mechanisms. However, equating difficulty with impossibility ignores two central aspects of reparations.

First, reparations are the only measure that provide benefits to victims directly. The benefits that victims receive from jailing perpetrators are much more indirect than those they would receive directly from reparations. Other transitional justice mechanisms can have a reparative effect, but from the standpoint of victims, reparations play a special role.

Second, reparations are a matter of legal obligation. They should not be conceived as an addendum to other duties under international law, but rather a duty enshrined in a variety of international law agreements. States are legally obligated to provide adequate reparations to individuals for crimes against humanity, genocide, war crimes, and torture.

But what do “adequate reparations” require? For individuals, international law is clear: full restitution in proportion to harm. Applying this criterion to massive cases, however, creates unrealizable expectations. In Peru, the Truth and Reconciliation Commission (TRC) initially estimated the number of victims to be 40,000. Simultaneously, the Inter-American Human Rights Court was issuing Peru-related decisions. Relying on its usual criteria, it recommended awards of between $150,000 to $220,000. If the Peruvian government applied these same criteria, reparations would have consumed 6 billion dollars, two-thirds of the national budget. The German government estimates that by the year 2030, it will have spent almost $80 billion dollars with current exchange rates. Nevertheless, the compensation that victims have received still do not approach the roughest calculation of compensation in proportion to harm. No reparations program has ever come close to the ideal of compensation in relation to harm, which is why reparations are perceived as a mere aspiration, not an obligation.

Massive abuse requires the development of different criteria for achieving justice through reparations. As with other transitional justice mechanisms, it is helpful to establish the goals of a reparations program. First, reparations should provide recognition to victims. Second,

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2 Article 8 of the Universal Declaration of Human Rights talks about “effective remedies.” Article 10 of the American Convention, about “adequate compensation,” Article 63 about “fair compensation,” and Article 68 talks about “compensatory damages.” Article 9 of the International Covenant on Civil and Political Rights includes vocabulary about “an enforceable right to compensation,” Article 14 of the Convention against Torture speaks about “fair and adequate compensation including the means for as full rehabilitation as possible,” and Article 50 European Convention about “just satisfaction to the victim.”

reparations should promote civic trust, including trust among citizens and trust between citizens and their institutions. Third, reparations should provide an impetus toward social solidarity. And although these goals may appear expansive, they are indeed much narrower (and easier to satisfy) than claims to restore a victim’s status quo ex ante.

III. Reparations and Transitional Justice: A Holistic Strategy

Reparations are one of five elements of transitional justice, which also includes prosecutions, truth-telling, reconciliation, and institutional reform. However, none of these elements should be considered in isolation. The success or failure of each of these elements is in part dependent on its inter-relationship to the other four. Hence, a free-standing reparations program, devoid of links to other aspects of justice on behalf of victims, is likely to fail. Victims may perceive monetary compensation without parallel efforts to document the truth or prosecute offenders as insincere or worse, the payment of blood money.

According to one panelist, this is the primary flaw in Malawi’s attempts to compensate victims of Dr. Kamuzu Banda’s regime. Government officials in a series of interviews emphasize that the National Compensation Tribunal (NCT), established in 1995, promotes reconciliation through recognizing the abuse victims suffered. However, the NCT operations can not substitute for sincere truth-telling efforts. The information collected by the NCT is not publicized and the perpetrators identified by victims are not named publicly. Moreover, former members of Dr. Banda’s regime now occupy government positions, albeit as members of a different political party. The government has consistently rejected calls for a ‘history project’ to document past abuses and the prosecution of those complicit in human rights abuse. The procedures of the Tribunal are far from transparent and do little to foster trust and solidarity between victims and the general populace.

Similarly, truth-telling without reparations can also seem insincere to victims. Some cultures attach a symbolic value to money, which for victims can become a tangible commitment of the government’s willingness to recognize victims’ suffering and implement change. The Peruvian TRC took 17,000 statements and for the first time in Latin America, held public hearings. It proposed detailed reparations measures for different types of abuses, including the restitution of rights for political detainees and economic benefits for the disabled, families of the disappeared, and victims of rape. President Toledo has asked for forgiveness in the name of the state, but has rejected calls for individual economic reparations citing Peru’s scarce resources. At the same time, he has made $64 million USD available to compensate 28,000 civil servants who were unjustly fired. This contradictory stance is particularly troubling given the Commission’s finding that 75% of the victims were native Quechua speakers, despite the fact that during the period under consideration, they comprised only 16% of the state population. Under such circumstances it would not be surprising if these victims considered truth without any compensation to be just words.

Programs that are “externally coherent,” i.e. part of a holistic transitional justice strategy, can help solve that problem. Whenever reparations are conceived as a price tag for the death of a loved one or abuse, it will fail to satisfy victims. There will never be enough money to “repair
the irreparable.” Instead, reparations in conjunction with other transitional justice mechanisms may be “good enough” to contribute to improving the quality of life of victims and to fostering the sense that they are rights-bearing citizens, that is, that they are part of a shared political community.

IV. Process and Victim Consultation

The process of reparations will impact the degree to which the goals of a reparations program are achieved. How reparations programs are developed, spoken about and delivered generate a context that must be consistent with the overall aims of the reparations program. Victims, because of their past mistreatment, are already sensitive to the rhetoric of governments and politicians. Hence negative, dismissive, or derogatory rhetoric, no matter what the eventual reparations program, only confirms for victims their exclusion from society and the state.

In the South African context, reparations have become a divisive, rather than uniting, process where victims are often portrayed as attempting to profit from their pasts. More than five years after the Truth and Reconciliation Commission issued its Final Report, the government announced a final (and limited) reparations program that gives victims one fourth of the compensation recommended by the TRC, with the rest to be spent on symbolic and community forms of reparations. Yet, according to a South African panelist, victims were completely excluded from the government’s deliberations and were forced to apply for information via the Promotion of Access to Information Act. The context in which reparations programs is developed, in this case with little public consultation, can be as important in a program’s effectiveness as the actual benefits conferred on victims.

This also has implications for other transitional justice mechanisms. For instance, the South African government has opposed civil suits filed by victims in U.S. courts against businesses that violated sanctions against the apartheid regime. In the words of one victim’s group, the government “should refrain from appearing to be fighting their own people” and instead should engage in a serious dialogue with representatives of victims. Alternatively, the Canadian government has gradually stopped using technical defenses to contest civil cases filed by Aboriginal people who had been victims of abuse under the Residential Schools system. A “principled approach” to healing Aboriginal communities, according to one panelist, meant remaining open to the possibility of civil suits while promoting alternative methods of dispute resolution and reconciliation.

Representatives of the Canadian government, spurred in part by an increasing number of civil suits, spent a year traveling the country and conducting exploratory dialogues with Aboriginal communities. One panelist argued that this process not only helped the government understand the lasting and complex impact of abuse in the residential schools but also the specific needs faced by the survivor communities. The government gave $350 million CAD to support the Aboriginal Healing Foundation, so that Aboriginals could design programs that reflected both their familiarity with the pain and their traditions of healing. Participants generally agreed that the design of a reparations program must include public consultation. The process of including
victims not only recognizes the suffering of victims, but also informs the content of a reparations program.

The process of victim consultation can also contribute to one of the overall aims of reparations programs, the recognition of victims and their experiences. As one panelist has written, the “impact of traumatization is not a private affair” and as a result, victims, in order to heal, need to know that society has acknowledged what happened to them. Another panelist described the Northern Ireland Welfare Fund (NIWF), which provides individualized reparations devoid of social or political content. One of the key demands of relatives of those killed on ‘Bloody Sunday’ in 1972 is that the victims are explicitly recognized as innocent. But the NIWF, which provides short-term grants, medical assistance, even appliances such as fridges, is solely concerned with the provision of goods and not the larger process of recognizing the experiences of victims.

V. Reparations and Development

Governments usually face a number of constraints in providing redress to victims, which are exacerbated by the financial strain of transitioning to democracy. Financing reparations programs often competes with other legitimate state-building goals, such as providing basic services, establishing accountable and transparent public bodies, and ensuring the physical safety of citizens. Simultaneously, justice for victims can contribute to establishing the foundations of an inclusive and democratic state. These competing priorities have implications for government preferences in the design of reparations program.

First, governments usually prefer programs that are collective, rather than individual. Since in collective programs, the cost-per-individual is usually much lower, collective programs appear to be less expensive. In addition, collective approaches allow governments to circumvent politically-charged issues like defining who is eligible for reparations measures. Second, governments usually prefer to provide in-kind services instead of individual compensation.

Nevertheless, governments should resist the temptation to substitute their normal development measures for reparations. Development is an important factor in establishing sustainable economies, but is also an entitlement that citizens receive because they are citizens, and not victims. In this process, the link between benefits and abuses is weakened and redress is undermined. Hence, it is imperative that reparations programs preserve the integrity of the link between a violation of rights and redress by the state.

In Peru, President Toledo has proposed a Peace and Development Plan ($820 million) to support reconstruction in the areas most affected by the conflict. But since the Fund isn’t specifically linked to the actual abuses suffered, its reparatory effect may be extremely limited. Moreover, if community reparations and development are simply interchanged, then the program risks losing its individual component, thereby decreasing its ability to recognize individual harm and suffering. If substituting development reduces the potential impact of reparations, how then should governments mobilize the necessary resources to establish reparations programs, in addition to the other legitimate needs of the state?
VI. Financing Reparations

There are two main financial models for financing reparations. The first model is through the creation of a special fund, which is funded through international resources, taxes, private sources, the sale of state assets, or the recovery of assets from perpetrators. El Salvador, Guatemala, Haiti, Malawi, South Africa and Peru have either tried or adopted this first model. More generally, where the potential universe of victims is large and difficult to define, and the domestic economy (as interpreted by the truth commission) is weak, truth commissions have recommended the creation of a special fund for reparations. International donations to funds have thus far have been modest and certainly far below expectations. For example, in El Salvador, the truth commission recommended that 1% of all international aid be earmarked for a special fund, which was never created.

In the second model, reparations are financed through direct line items in state budgets and monies are channeled via the responsible ministry (i.e. Ministry of Health for financing mental and physical health programs). This model, used in Argentina, Brazil, and Chile, has been much more effective in procuring the necessary financial resources for reparations. Direct financing from state budgets has been used in countries with different financial capacities. According to one panelist, the key difference between these two groups of states is not their financial capacity to pay, but rather the strength of political alliances that support reparations. Where political alliances supporting reparations are weak or non-existent, financing for such programs will also be weak or non-existent and vice-versa.

VII. Political Alliances

Reparations are also a political project undertaken by governments to achieve political ends. Yet, this poses a significant obstacle to victims seeking reparations; more often than not victims are the most marginalized sector of the population and lack the social connections on which such alliances are built. Simply put, where there is a political cost, to not implementing reparations programs, rich and poor countries alike have found the necessary financing for redressing the harms suffered by victims.

Political alliances in Chile forged a society-wide consensus on the need to repair, which created the necessary pressure on the government to establish a series of reparations measures. In part, this is linked to the profile of victims. In Chile, most of the victims were educated and members of the urban middle class. They were familiar with the politics of influence and were able to effectively organize themselves to include reparations in the state’s larger political agenda. Chile has enacted reparations programs for former exiles, former prisoners, peasants, families of victims, and is now considering ways of providing reparations for torture victims and relatives of the disappeared. The pensions given to victims are relatively small, but reach a wide group of beneficiaries and approximately 100,000 victims participate in the state’s health reparations program, PRAIS. By contrast, in El Salvador where the Truth Commission recommended the establishment of a reparations program, political alliances are weak and the government has paid little in political capital for its failure to support reparations.
El Salvador’s is usually portrayed as a successful transition: the negotiation of a durable peace agreement, the transformation of the former guerrillas into a legal political party, the establishment of a truth commission and the reorganization of the state’s security sector. Yet a state that was capable of enacting political reforms has failed to implement a key recommendation by the truth commission, namely, the provision of reparations to victims. According to a number of conference participants, the main actors in the conflict, the Farabundo Marti National Liberation Front (FMLN) and the government, colluded to not support reparations. The truth commission, composed solely of internationals, actually undermined the case for reparations. Its report noted that El Salvador lacked the resources to provide reparations, which the government later cited to justify its inaction. Moreover, it recommended that international actors finance a reparations fund, further displacing the government’s responsibility to provide redress. The only other social force with influence, the FMLN composed of former guerrillas, was also the only group to receive compensation (land). In one panelist’s opinion, technical financing factors became a scapegoat for the government’s failure to provide redress.

El Salvador raises an important question for societies in transition: should transitional justice bodies also be responsible for encouraging non-governmental voices and fostering coalitions? Each of the case studies presented during this symposium took a different approach. Canada, through funding the Aboriginal Healing Foundation, provided a neutral space for Aboriginals to design strategies and the funds to mobilize communities that had been excluded from initial discussions. The Peruvian Truth and Reconciliation Commission actively sought the advice and insight of victims, who organized themselves to better engage with the government. In South Africa, according to one panelist, the Truth and Reconciliation Commission partially supplanted civil society and hence their ability to campaign for a reparations program grew only after the closing of the TRC.

VIII. Conclusion

Establishing an effective reparations program is not easy. But the level of difficulty is not a legitimate excuse for governments to avoid their legal and moral obligation to provide redress to victims. Governments, according to one panelist, need to overcome their fear of relinquishing unilateral strategies and pursue partnerships that allow for a meaningful exchange of views. Massive abuse demands measures beyond the standard rules and regulations of government. At the same, there is a growing body of expertise and analysis to support governments as they develop new ways to meaningfully address the past.
ANNEX I: AGENDA

Thursday, March 11 2004

9:00 – 9:15  Welcoming remarks  
Maureen O’Neil, President of IDRC

9:15 - 10:00  “Transitional Justice as an Emerging Field”  
Alex Boraine, President of ICTJ

10:15 – 12:30  Panel 1: “The Aims of Reparation”  
Chair & Questioner:  
Alex Neve, Secretary General of Amnesty International, Canada

“What Reparations Contribute to the Achievement of Imperfect Justice”  
Pablo de Greiff, Director of Research, ICTJ

“Reparations: A Psychosocial Perspective”  
Brandon Hamber, Research Associate, Democratic Dialogue

“Financing Reparation: Political Imperatives and Social Development”  
Alex Segovia, Executive Director of Democracy & Development Consultants

1:30 – 3:15  Panel 2: “Reparations in Latin America”  
Chair & Questioner:  
Colleen Duggan, Senior Program Specialist, IDRC

“Chile”  
Elizabeth Lira, Prof., Centro de Etica, Univ. Alberto Hurtado, Santiago

“El Salvador”  
Alex Segovia, Exec. Director of Democracy & Development Consultants

*“Peruvian Truth Commission”  
Lisa Magarrell, Senior Associate, ICTJ

3:30 – 5:15  * Panel 3: “Reparations in Canada: Residential Schools”  
Chair & Questioner:  
Dennis Cooley, Executive Director, Law Commission of Canada

“Canada’s Residential Schools: Prospects for Healing”  
Gail Valaskakis, Director of Research, Aboriginal Healing Foundation

“Residential Schools: Experiences and Challenges for Government”  
Shawn Tupper, Director General of Policy, Planning and Corporate Services, Indian Residential Schools Resolutions

* This case was not included in the ICTJ reparations study.
“Overview of the Challenges and Impact of the Work of the Aboriginal Healing Foundation”  
Kim Scott, Consultant

Friday, March 12

8:30 – 10:45  Panel 4: “Reparations in Africa”  
Chair & Questioner:  
Andrea Armstrong, Research Associate, ICTJ

“South Africa’s Reparation Program”  
Chris Colvin, Lecturer, Univ. of the Western Cape & Univ. of Cape Town

*“South Africa: Reparations Today”  
Tlhoki Mofokeng, Acting Director, Khulumani Support Group

“Malawi”  
Diana Cammack, Independent Consultant

*“Justice in Sierra Leone: Choices and Trade-offs”  
Valerie Oosterveld, Legal Officer DFAIT

11:00 – 12:00  Panel 5: “Future Research Directions”  
Chair & Questioner:  
Rosemary Nagy, Associate Professor, Dept. of Law, Carleton University

12:00  Close of event

* This case was not included in the ICTJ reparations study.
ANNEX II: PANELIST BIOGRAPHIES

Andrea Armstrong, Research Associate, ICTJ
Andrea Armstrong has a Masters in Public Affairs from the Woodrow Wilson School at Princeton University and a B.A. in German and political science from New York University. Prior to joining the ICTJ, she researched regional conflict dynamics in Central Africa and Central Asia at the Center on International Cooperation at NYU. Her previous research activities include: conflict prevention for the United Nations Department of Political Affairs; the denial of citizenship in Central Asia and the Caucasus for the Commission on Human Security; and human rights/refugee protection for the International Rescue Committee. Ms. Armstrong teaches policy modules on democratization at the Junior Summer Institute at Princeton University and has co-authored articles on regional peacebuilding with Dr. Barnett Rubin.

Alexander Boraine, President, ICTJ
Alexander Boraine is the founding President of the International Center for Transitional Justice. From 1998 through early 2001, he served as professor of law at New York University and as director of the New York University Law School's Justice in Transition program. He continues as an adjunct professor at NYU. In 1995, Dr. Boraine was appointed by President Nelson Mandela to be deputy chair of the South African Truth and Reconciliation Commission, serving under chairman Archbishop Desmond Tutu. He held this post until 1998. From 1986 to 1995, Dr. Boraine headed two South African nonprofit organizations concerned with ending apartheid and addressing the legacy it left behind. He was a member of the South African Parliament from 1974 to 1986, and he served as president of the Methodist Church of Southern Africa from 1970 to 1972, having been ordained as a Methodist minister in 1956. Dr. Boraine holds degrees from Rhodes University in South Africa, Oxford University in England, and Drew University in the United States. His most recent book, A Country Unmasked, was published by Oxford University Press in November 2000. In October 2000, he was awarded the President's Medal for Human Rights in Italy.

Diana Cammack, Independent Consultant
Diana Cammack, Ph.D. (Univ of California, Irvine, 1983). As an American living in Malawi, Ms Cammack has observed and participated in the democratic transitional process there since 1992. Ms Cammack works as a research consultant and a project designer/evaluator/manager in the fields of human rights, democracy/governance, and gender in relief and development. In 1995-96 she and other local and international human rights advocates tried without success to start a 'history project' and then a truth commission in Malawi. Her most recent academic work is 'Malawi at the Threshold: resources, conflict and ingenuity in a newly democratic state', American Academy of Arts and Science and Univ of Toronto, Nov 2001.

Chris Colvin, Lecturer, University of the Western Cape and University of Capetown
Christopher J. Colvin is a doctoral candidate in cultural anthropology at the University of Virginia. His dissertation research was conducted with a victim support and advocacy group in Cape Town, South Africa and examines the politics of "traumatic storytelling" among victims of apartheid-era violence. Book chapters include "'Brothers and Sisters, Do Not Be Afraid of Me': Trauma, History and the Therapeutic Imagination in the New South Africa", in Contested Pasts, Kate Hodgkins (ed.), and "The Angel of Memory: ‘Working Through’ the History of the New South Africa”, in Between the Psyche and the Polis, Michael Rossington (ed.), and "Anxious Stories, Natural Histories: Political Violence and Psychological Anthropology" in Blackwell's
Companion to Psychological Anthropology, Conerly Casey (ed.). He has also conducted research and written on the South African reparations program, on reconciliation and civil society, and on the globalization of the psychological discourse of trauma.

**Dennis Cooley**, Executive Director, Law Commission of Canada
The Law Commission of Canada is a federal law reform agency with a mandate to engage Canadians in the renewal of the law. As Executive Director, Dennis is responsible for managing the affairs of the Law Commission and helping to shape its strategic direction. Dennis has also been actively involved in the Law Commission's project that examines the emerging relationship between public police and private security, as well as projects on restorative justice and communities and the law. Dennis has several years of research experience in the field of criminal justice policy, corrections, and the sociology of law and social control. He has published research in the area of prison violence, the social organization of prisons and inmate subcultures. Dennis received a Ph.D. in Sociology from the University of Manitoba in 1995, a Masters of Arts from Carleton University in 1990 and a BA from Carleton University in 1988. Dennis and his wife Julie have a son named Stanley and a dog named Digger.

**Pablo De Greiff**, Director of Research Unit, ICTJ
Pablo De Greiff, a native of Colombia, obtained his B.A. at Yale and his Ph.D. in philosophy at Northwestern University. Most recently, he was associate professor in the Department of Philosophy at the State University of New York at Buffalo. He has written extensively on transitions to democracy, democratic theory, and the relationship between morality, politics, and law. He is the editor of five books, including Jürgen Habermas's *The Inclusion of the Other* (MIT Press, 1998), and, most recently, of *Global Justice and Transnational Politics* (MIT Press, 2002). From 2000 to 2001, he was the recipient of a fellowship from the National Endowment for the Humanities, and was a Laurance S. Rockefeller Fellow at the Center for Human Values at Princeton University. He is currently completing a book entitled *Redeeming the Claims of Justice in Transitions to Democracy*.

**Colleen Duggan**, Senior Program Specialist, IDRC
Colleen Duggan has a Masters in International Human Rights and Humanitarian Law from Essex University. She also holds a post-graduate degree in International Development and Economic Cooperation from the Université d’Ottawa. Prior to joining IDRC she worked for ten years with the United Nations, mostly recently with the Office of the UN High Commissioner for Human Rights in Colombia. She has also worked with UNDP’s Bureau for Crisis Prevention and Recovery in New York and in El Salvador, Guatemala, Honduras and Haiti. She is a trainer for the UN Staff College/UN Department of Political Affairs training program for conflict prevention. Her most recent publications include “UN Strategic and Operational Coordination: Mechanisms for Preventing and Managing Violent Conflict” in *From Rhetoric to Reality: Mainstreaming Conflict Prevention at the Regional Organizations and the UN* and “Reparation of sexual violence and democratic transition: The search for gender justice” (co-authored with Adila Abusharaf) for the International Center for Transitional Justice (upcoming 2004).

**Brandon Hamber**, Research Associate, Democratic Dialogue
Brandon Hamber was born in South Africa and currently works in Belfast, Northern Ireland. He is a clinical psychologist by training and was an Honorary Fellow at the School of Psychology at the Queen's University in Belfast in 2001/2002. He is currently a Research Associate of the
Belfast-based think-tank, Democratic Dialogue, and a consultant to the Office of Psychosocial Issues based at the Free University, Berlin. Prior to moving to Northern Ireland, he co-ordinated the Transition and Reconciliation Unit at the Centre for the Study of Violence and Reconciliation, where he remains an Associate. His is a Board member of the South African-based Khulumani Victim Support Group. He works mainly in the area of violence and trauma, and co-ordinated the Centre's project focusing on the Truth and Reconciliation Commission. He was a visiting Tip O'Neill Fellow in Peace Studies at the Initiative on Conflict Resolution and Ethnicity (INCORE) in Northern Ireland in 1997/1998. Previously he was the recipient of the Rockefeller Resident Fellowship (1996) and was a visiting fellow at the Centre for the Study of Violence in Sao Paulo, Brazil. He has written widely on the South African Truth and Reconciliation Commission, the psychological implications of political violence, and the process of transition and reconciliation in South Africa and abroad. He edited the book entitled *Past Imperfect: Dealing with the Past in Northern Ireland and Societies in Transition*, which was published by INCORE/University of Ulster.

Elizabeth Lira, Professor Centro de Etica, Universidad Alberto Hurtado, Santiago

Elizabeth Lira is a psychotherapist and researcher in the field of mental health and human rights currently working as a researcher and professor in the Centro de Etica, Universidad Alberto Hurtado, Santiago. She worked for ten years in FASIC (Fundación de Ayuda Social de las Iglesias Cristianas), an Ecumenical Human Rights Institution, as clinical psychologist treating victims of human rights violations. In 1988, she founded with other clinicians the Latin American Institute of Mental Health and Human Rights where she was its director for six years. She has published widely on the psychology of abuse and healing, including, among others: *Psicoterapia y represión política* (Psychotherapy and political repression) and *Trauma, duelo y reparación* (Trauma, grief and reparation), both coauthored with Eugenia Weinstein. She has been working since 1997 as a researcher on political reconciliation in Chile with Brian Loveman, professor in San Diego State University. She has published several books related to this topic, among them: *Las suaves cenizas del olvido: Vía chilena de reconciliación política 1814-1932* (1999, 2nd edition, 2000; *Las acusaciones constitucionales en Chile*.

Lisa Magarrell, Senior Associate, ICTJ

Ms. Magarrell holds law degrees from the University of Iowa and the University of El Salvador, and a Master of Laws from Columbia University with a focus in international law and human rights. Her work with the ICTJ includes technical support on transitional justice issues in Peru, the United States, and other countries, as well as research on historical justice questions and reparations. She has more than 20 years of professional experience in the field of human rights, including legal advocacy on behalf of asylum seekers and migrant workers in the U.S. From 1988 to 1994 she led the international legal work of the nongovernmental Human Rights Commission of El Salvador (CDHES), and then went on to spend more than five years as a political affairs officer with the United Nations Verification Mission in Guatemala (MINUGUA).

Tlhoki Mofokeng, Acting Director, Khulumani Support Group

Prior to joining the Khulumani Support Group, Tlhoki Mofokeng worked at the Centre for the Study of Violence (CSVR) for over five years. Through CSVR, he has contributed to the work of the South Africa Truth and Reconciliation Commission (TRC) in a variety of capacities: as a field worker engaged in public education and community mobilization; conducting trainings on statement-taking; promoting civil society input on reparations, among other matters, to the TRC through facilitating conferences and workshops; and as Project Manager, contributed to the
formation of Victim Support Groups. Mr. Mofokeng has traveled widely to share his experience in community perspectives on the South African experience and the TRC, including conferences at University of Massey, New Zealand and the University of Michigan in the USA. He has also assisted other non-governmental organizations in Guatemala, El Salvador, Northern Ireland, Sierra Leone and Zimbabwe, explore issues related to victims, truth and reconciliation. Mr. Mofokeng holds a Post-Graduate Diploma in Public & Dev. Management from the Public School of Development & Management (Wits University, Johannesburg) and certificates in International Relations and Community Leadership Development from the University of Oslo and Wits University respectively.

**Rosemary Nagy**, Assistant Professor in Legal Studies, Carleton University
Professor Nagy teaches in human rights and transitional justice. Her work in political and legal theory has focused on South Africa's Truth and Reconciliation Commission. As part of her doctoral research, she was an intern with the Centre for the Study of Violence and Reconciliation in Johannesburg. Her recent publications include: "Reconciliation in Post-Commission South Africa: Thick and Thin Accounts of Solidarity", (2002) Canadian Journal of Political Science.

**Alex Neve**, Secretary General, Amnesty International Canada
Alex Neve has been a member of Amnesty for over fifteen years and has worked for the organization nationally and internationally in a number of different roles, including research missions to Cote d'Ivoire, Colombia, Honduras, Tanzania, Guinea, Mexico and Ghana. Alex is a lawyer, with a Master’s Degree in International Human Rights Law. He has practiced law in Toronto, privately and in a community legal aid clinic, primarily in the areas of refugee and immigration law. He has taught international human rights and refugee law at Osgoode Hall Law School in Toronto and has been affiliated with the Centre for Refugee Studies at York University. Prior to taking up his current position he served as a Member of Canada’s Immigration and Refugee Board.

**Maureen O’Neil**, President, IDRC
Ms. O’Neil’s previous positions include Interim President of the International Centre for Human Rights and Democratic Development, President of the North-South Institute and Deputy Minister of Citizenship for the Government of Ontario. She is a Fellow of the School of Policy Studies of Queen’s University and a member of the International Board of Governors of Centre for International Governance Innovation (CIGI). She is currently a member of the Board of Directors of the International Institute for Democracy and Electoral Assistance (International IDEA) and a member of the Markle Foundation’s Global Digital Opportunity Initiative. Past Board responsibilities include: the Board of Governors, Carleton University (Chair); the World Economic Forum’s Digital Divide Supervisory Committee (co-chair); the Advisory Board to the Minister of Foreign Affairs; the International Centre for Human Rights and Democratic Development (Chair); the Canadian Foundation for the Americas (Chair); and the Institute for Women, Law and Development. Ms. O’Neil has also represented Canada on the UN Commission on the Status of Women and on OECD committees, and has been a member of the UN Committee for Development Planning and the Board of the UN Research Institute for Social Development. She holds a BA in Sociology from Carleton University and Honorary LLDs from Carleton University and Wilfrid Laurier University.

**Valerie Oosterveld**, Legal Officer, UN, Human Rights & Economic Law Division, DFAIT
Ms. Oosterveld’s area of responsibility is international criminal accountability for genocide, crimes against humanity and war crimes, focusing on the International Criminal Court (ICC), the International Criminal Tribunals for the Former Yugoslavia and Rwanda, the Special Court for Sierra Leone, Sierra Leone’s Truth and Reconciliation Commission and gender issues under international humanitarian law. She is a member of the Canadian delegation to the ICC’s Assembly of States Parties, and also served on the Canadian delegation at the 1998 United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of the ICC and the subsequent Preparatory Commission. She is the author of several chapters and articles on international humanitarian law, including on the prosecution of gender-based crimes.

**Kim Scott, Independent Consultant**
Ms. Scott's career spans a broad spectrum of activity including public health administration, program evaluation, historical research, policy analysis, teaching and training. She has written for organizations such as the Aboriginal Healing Foundation, Ontario’s Aboriginal Healing and Wellness Strategy, Royal Commission on Aboriginal Peoples, Canadian Medical Association, Canadian Centre on Substance Abuse and the National Forum on Health. As a teacher/trainer, she has offered courses on health program development and evaluation, population health, child welfare, indigenous women’s issues, research ethics and methods as well as healing through decolonization with a variety of academic and governmental organizations. Formerly the Director of Population Health with Medical Services Branch, some of her major responsibilities included functional supervision of a health information system, environmental health, community medicine and nursing services while maintaining active memberships in the Canadian Evaluation Society and the Canadian Psychological Association. Ms. Scott is founder and principal of Kishk Anaquot Health Research (KAHR), an independent organization that specializes in program development/evaluation, cognition and health as well as healing through decolonization. Kim Scott holds an MSc from the University of Waterloo, Health Studies Department, a BA from Carleton University’s Psychology Department and, most dearly, the title Mom of a bright and beautiful daughter, Desirae.

**Alexander Segovia, Executive Director of Democracy and Development Consultants**
Alexander Segovia, a Salvadoran economist, earned a PhD in Economics from London University, a Masters in Latin American Public Policy from Oxford University and a BA in Economics from the Central American University José Simeón Cañas (UCA). Currently, he works as an international consultant and is Executive Director of Democracy and Development Consultants. For the last year, Dr. Segovia has collaborated with the ICTJ on reparations research – both on thematic issues as well as country specific programs (Peru). Between 1997-2000, he worked for the United Nations Verification Mission in Guatemala (MINUGUA) as an economic analyst and later as director of the Socioeconomic Division, completing a significant research paper relevant to the process that culminated in the signing of the Fiscal Pact of Guatemala. From 1996-2000, he was a member of an investigation team for a joint project BID-CEPAL-PNUD, which studied Poverty and Macroeconomic Politics in Latin America and the Caribbean; the Liberalization of the Balance of Payments and its Effects on Distribution; and Poverty and Growth – the results of which were published in two volumes. Between 1994-1996 he was a member of a research team of Ajuste Hacia La Paz of PNUD-El Salvador, which studied the transition and economic dimensions of the Peace Accords and contributed three chapters to the final report. In the last year, Dr. Segovia published a book, *Structural Transformation and Economic Reform in El Salvador*. 

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Shawn Tupper, Director General of Policy, Planning and Corporate Services, Indian Residential Schools Resolutions, Canada

Mr. Tupper is the Chief Operating Officer for the Department reporting directly to the Deputy Minister. Prior to this, he was a Special Advisor to the Deputy Prime Minister at the Privy Council Office providing advice on issues related to Indian Residential Schools. Mr. Tupper took up this position as a result of the work done as the Director of the Residential Schools Unit at the Department of Indian Affairs and Northern Development where he was co-leader of the national team coordinating residential school issues for the federal government. Mr. Tupper has worked in this area for seven years and played a leading role in the development and implementation of the Residential School Strategy which was enunciated as part of Gathering Strength - Canada’s Aboriginal Action Plan which was announced in January 1998. Mr. Tupper joined the federal government in 1984 as a international energy policy analyst with Natural Resources Canada. Mr. Tupper joined Indian and Northern Affairs Canada (INAC) in December 1995. His first task at INAC was to coordinate the federal government’s work with the Mushuau Innu and he assisted in the successful conclusion of an agreement to relocate their community at Davis Inlet to Little Sango Pond in Labrador.

Gail Guthrie Valaskakis, Director of Research, Aboriginal Healing Foundation

Gail Guthrie Valaskakis, Ph.D. (McGill University) is Professor Emeritus of Concordia University in Montreal where she served as Dean, Faculty of Arts and Science; Vice-Dean, Academic Planning; Chair of the Department of Communication Studies; and Director of the M.A. Program in Media Studies. She also served as Special Advisor to the Rector on Aboriginal Affairs and University Research Professor, Adjunct; Trustee Principal of the Simone de Beauvoir (Women’s Studies) Institute and Co-ordinator of the Program in Canadian Studies. She has researched the social and cultural change of Aboriginal people for three decades. Her writing on the development and impact of northern and Native communications, and on issues of Aboriginal Cultural Studies is widely published. Ms. Valaskasis has served as president of the Canadian Communication Association and the Quebec Writer’s Federation and as co-Chair of the Aboriginal Scholars Project sponsored by the Policy Research Initiative of the Privy Council Office. She is currently Co-Director of the Aboriginal Mental Health Network. She is also currently active or has served on the following boards: Advisory Board of the CIHR Institute of Aboriginal Peoples Health; Editorial Boards of Cultural Studies and the Journal of the National Aboriginal Health Organization; the Waseskun Healing Lodge; the Montreal Native Friendship Centre; the Native North American Studies Institute; the Manitou Community College; the Centre for Research-Action on Race Relations; the Advisory Boards of the National Film Board’s (Studio D) New Initiatives in Film Program for Women of Colour and Women of the First Nations and Studio One, the First Nations Studio. Gail Guthrie Valaskakis’ background is Chippewa and she was raised on the Lac du Flambeau reservation in Wisconsin. She received a National Aboriginal Achievement Award in 2002 for her contributions to Aboriginal media and communications.