**Questionnaire**

***Experiences of Domestic Reparation Programmes*, *including Challenges***

***and Opportunities***

In the framework of Human Rights Council resolution 36/7, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence has been mandated “[t]o identify, exchange and promote good practices and lessons learned.” To this end, he would like to undertake research and analysis to identify practices and lessons learned in relation to **domestic reparation programmes, that could help States undergoing political transitions**, and other stakeholders, to ensure that victims obtain adequate, prompt and effective reparation for harm suffered. The research will inform his thematic report to the 42nd session of the Human Rights Council in September 2019.

In order to obtain a broad representation of views to inform the thematic report, the Special Rapporteur is seeking written contributions by Member States, civil society and other relevant stakeholders through responses to the questionnaire below.

In particular, he would like to identify specific examples that could indicate what are the minimum elements that an effective domestic reparation programme should include in its design and during its implementation.

We wish to thank you in advance for your cooperation, and for your responses **to *all or some* of the below questions**.

1. Please provide information on any domestic reparation programme, which has been adopted and implemented in your country, or country in which you work, as a means of providing effective redress to victims of mass atrocities in a political transition (from an authoritarian and/or conflict situation)? How was this achieved?
2. Please indicate, based on your experience or knowledge, what are the minimum elements that a domestic reparation programme should include to provide effective reparation to victims of mass atrocities. Please refer to the experience in your country or country you work in/on.
3. Please indicate if the reparation process implemented in your country, or country in which you work, was based on effective consultation of victims in the design, set up and implementation of the domestic reparation programme. Please provide examples of good and effective practices in this regard. What was the impact of the consultation for the reparation process?
4. Please describe the legal design underpinning the reparation programme implemented in your country, or country in which you work, and how it was established (by law, decree, or other). Was a particular institution created to implement the programme? Please explain the mandate and powers assigned to it and the branch of government it belonged to?.
5. Please explain the registration process in your country, or country in which you work, and if the programme experienced problems with the registration of victims? Which standards of evidence were used to register victims? What were the requirements to register a victim? What happened first, the registration of victims or the design of the domestic reparation programme?
6. Please provide information about the main challenges faced by victims to obtain reparation through the domestic reparation programme implemented in your country or a country in which you work? How did the reparation programme ensure that victims and/or their families have access to it?
7. Please indicate if/how the reparation programme implemented in your country, or country in which you work, addressed the situation of displaced persons (either refugees or IDPs), including restitution measures? How should domestic reparation programmes redress displaced persons?
8. Please indicate if/how the domestic reparation programme implemented in your country, or country in which you work, included a gender and or ethnic sensitive approach? What could be done by domestic reparation programmes to better implement such approaches? Please provide examples.
9. Please indicate if/how the domestic reparation programme implemented in your country, or country in which you work, addressed the situation of marginalized groups or groups in a situation of vulnerability (e.g. children, older persons, persons with disabilities or indigenous groups). Please outline good practices in redressing the harm suffered by these groups in domestic reparations programme. What could be improved in cases where practices have been less successful?
10. In the experience of the reparation programme in your country or country in which you work, what has been the impact (positive and negative) of including a differentiated approach to some victims because of their gender, ethnicity or other ground?
11. Please indicate if/how the domestic reparation programme implemented in your country, or country in which you work, provided rehabilitation services for victims. What was understood by rehabilitation? Provide examples of failures and/or achievements in reparation programmes in the provision of rehabilitation services for victims?

1. Please indicate good examples of urgent (interim) reparation responses provided to victims while domestic reparation programmes were being designed and implemented?
2. Please indicate whether any of the reparation measures had a particular effect regarding the non-recurrence of similar violations?
3. Please explain how was the domestic reparation programme implemented in your country, or country in which you work, financed?. Please provide examples of best practices for the financing of domestic reparation programmes?
4. What messages have underpinned the domestic reparation programme in your country or the country where you work? Has there been a prior acknowledgement of responsibility for the violations?
5. Please inform if the domestic reparation programme set up in your country or the country where you work, included any form of symbolic reparation or other forms of satisfaction? If so which ones? Were they implemented?
6. Please inform of any experience where non-state actors such as armed groups, private corporations or civil society contributed to the work of domestic reparation programmes? Can you explain their contribution (in kind or in money)?

1. Please inform of any domestic reparation programme where reparations given to its beneficiaries have helped towards resolving continuing insecurity or socio-economic inequality/marginalization? Please explain where and how.
2. Please indicate if/how the reparation programme implemented in your country, or country in which you work, recognized all relevant forms of victimization? Which violations were covered by the programme? Which ones were excluded? Were indirect victims, such as family members, included in the reparation programme? If so, how was compensation distributed across different family members?
3. Did the domestic reparation programme in your country, or country where you work, include forms of collective reparation? Which ones? Who benefited from them? For what violations?
4. Did victims have access to adequate and effective remedies to challenge the adequacy or effectiveness of the domestic reparation programme in your country or the country where you work? If so, were they used? What was the outcome?
5. Please provide information on any follow-up/monitoring processes that was set up to ensure the effective implementation of the reparation programme. Have victims participated in such a process?
6. Based on your experience/knowledge, what should be the role of judicial reparation in the context of the implementation of a domestic reparation programme?

Given the timeline for the preparation of the thematic report, we kindly request that written contributions be sent in a Word document to srtruth@ohchr.org no later than 15 January 2019. We would also welcome any other PDF or word document, report, article or the like providing further information about the domestic reparation programme in your country or the country you work in/at.

Please limit your contributions to a maximum of 750 words per response and attach annexes, where necessary. Your responses may be published on the website of the Office of the High Commissioner for Human Rights.