# **Key Resources on Reparations in Southern Africa**

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# 1. NGOs and Research Centres Working in Reparations

#### **International Organisations and Research Centres**

Jubilee Campaigns for Debt Relief and Reparations

- Jubilee South
- Jubilee USA
- Jubilee 2000 South Africa Founding Declaration
- Jubilee 2000 South Africa Draft Position Paper
- <u>Jubilee Research</u> (successor to Jubilee 2000 UK)

# Redress: Seeking Reparation for Torture Survivors

- Reparation: A Sourcebook For Victims Of Torture And Other Violations Of Human Rights And International Humanitarian Law, Redress Trust 2003
- Torture Survivors' Perceptions Of Reparation: Preliminary Survey

Brandon Hamber's Homepage (articles and links to resources on reparations)

The Reparations Movement (for Africa and the African Diaspora)

- Africa Reparations Movement
- All for Reparations and Emancipation
- Reparations Central
- CURE Caucasians United for Reparations and Emancipation
- N'COBRA National Coalition of Blacks for Reparations in America
- New World Reparations
- Sons of Afrika

### **Regional Organisations**

Southern African NGO Network (SANGONet)

Human Rights Trust of Southern Africa, Zimbabwe

Peace-building, Healing and Reconciliation Programme (PHARP), Kenya and Rwanda

Institute for Justice and Reconciliation, South Africa

Centre for the Study of Violence and Reconciliation, South Africa

Pan-African Reconciliation Centre & African Centre for Peace Education, Nigeria

Southern African Research and Documentation Centre

# **Country-Specific Organisations**

Malawi

Centre for Human Rights and Rehabilitation

Namibia

National Society for Human Rights

South Africa

**Black Sash Trust** 

Institute for Justice and Reconciliation,

Centre for the Study of Violence and Reconciliation,

Khulumani Support Group

Human Rights Media Centre

Alternative Information and Development Centre

Zimbabwe

**Amani Trust** 

Legal Resources Foundation

#### 2. Academic Resources

### General Theoretical, Comparative and Historical Overviews

Taking Responsibility for the Past: Reparation and Historical Injustice, Jana Thompson,

Polity Press, 2002.

Politics and the Past: On Repairing Historical Injustices, John Torpey, Lanham, MD: Rowman and Littlefield Publishers, 2003.

The Rise of the Reparations Movement, Martha Biondi, *Radical History Review* 87 (2003) 5-18.

Achieving Democratic Equality: Forgiveness, Reconciliation, And Reparations, Howard Mcgary, *The Journal of Ethics* 7: 93–113, 2003.

The African Reparations Cry: Rationale, Estimate, Prospects, and Strategies, Daniel Tetteh Osabu-Kle, Journal Of Black Studies, Vol. 30 No. 3, January 2000 331-350.

The World Of Atonement: Reparations For Historical Injustices, Dinah Shelton, *Netherlands International Law Review*, L: 289-325, 2003.

If a Tree Falls in the Wilderness: Reparations, Academic Silences, and *Social Justice*, Rodney Coates, Social Forces, December 2004, 83(2):841-864.

Righting Wrongs: Reparations In The Articles On State Responsibility, *Dinah Shelton*, The American Journal Of International Law Vol. 96: 833.

<u>Reparations: Repairing The Psychological Harm?</u>, January 2005, Office Of Ethnic Minority Affairs, American Psychological Association.

When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice, Roy L. Brooks ed., New York Univ. Press 1999.

Reparations and the International Criminal Court: A Prospective Role for the Trust Fund for Victims, Marieke Wierda and Pablo de Greiff.

"Reparation as a Dimension of Transitional Justice", L. Huyse in Report on the Expert Seminar on Reparation for Victims of Gross and Systematic Human Rights Violations in the Context of Political Transitions, Catholic University of Leuven, March 10, 2002.

Repairing the Irreparable: Dealing with the Double-binds of Making Reparations for Crimes of the Past, Brandon Hamber, Ethnicity and Health, Volume 5, Numbers 3-4, 215 – 226.

Unspeakable Truths: Confronting State Terror and Atrocity, Priscilla Hayner, Routledge, 2001.

Audit Study: Detailed Analysis of the Law and Practice on Reparation for Torture in 30 Countries, REDRESS.

The African Holocaust: Should Europe Pay Reparations to Africa for Colonialism and Slavery?, Ryan Michael, Vanderbilt Journal Of Transnational Law Vol. 35:1313

Race and Reparations: A Black Perspective for the 21st Century, CJ Munford, Trenton: Africa World Press, 1996.

Reparations for 'America's Holocaust': Activism for Global Justice, Michael T. Martin, Race & Class, Vol. 45, No. 4, 1-25 (2004).

# Regional and Comparative Research on Reparations in Southern Africa

<u>Reparations in Southern Africa</u>, Warren Buford & Hugo van der Merwe, Cahiers d'études africaines, Vol. 44, Issues 1-2, 2004.

Civil Society and Reconciliation In Southern Africa: Findings from the Southern African Reconciliation Project, Christopher J. Colvin, 2004, Centre for the Study of Violence and Reconciliation.

Edelstein, Jayni. "Rights, Reparations and Reconciliation: Some Comparative Notes". Centre for the Study of Violence and Reconciliation. 1994.

Moral Integrity and Reparations for Africa, Rhoda E. Howard-Hassmann.

# **Country-Specific Research on Reparations**

#### Namibia

German Reparations to the Herero Nation: an Assertion of Herero Nationhood in the Path of Namibian Development? Sidney Harring, West Virginia Law Review, Winter 2002.

One hundred years later: Germany on trial in the USA - The Herero reparations claim for genocide, Manfred Hinz, Namiban Human Rights Online Journal, Vol 1, Number 1, 2003.

### South Africa

<u>Special Issue of Africa Update</u>, Vol. IX, Issue 4 (Fall 2002), Human Rights, Apartheid and Reparations.

Buur, L. (2001). "In the Name of the Victims"—The Politics of Compensation in the Work of the South African Truth and Reconciliation Commission.

Fernandez, L. (1995). Possibilities and Limitations of Reparations for the victims of Human Rights Violations in South Africa. In M. R. Rwelamira & G. Merle (Eds.), *Confronting Past Injustices: Approaches to Amnesty, Punishment, Reparations and Restitution in South Africa and Germany* (pp. 65-78). Durban: Butterworths.

Hamber, B., Maepa, T., Mofokeng, T., & Merwe, H. v. d. (1998). <u>Survivors' Perceptions of the Truth and Reconciliation Commission and Suggestions for the Final Report</u>. Submission to the TRC. Johannesburg: Centre for the Study of Violence and Reconciliation.

Hamber, B., & Wilson, R. (1999). Symbolic Closure Through Memory, Reparations and

<u>Revenge in Post-Conflict Societies</u>. Paper presented at the Traumatic Stress in South Africa Conference, Johannesburg.

Jubilee South Africa. (2001). Reparations Towards Another World: Declaration of the Jubilee South Africa for the World Conference on Racism. Johannesburg: Author.

Still Not Talking: Government's Exclusive Reparations Policy And The Impact Of The 30 000 Financial Reparations On Survivors, Oupa Makhalemele, Centre for the Study of Violence and Reconciliation, 2004.

"Overview of the Reparations Programme in South Africa," Christopher J. Colvin, CSVR Report commissioned by the International Center for Transitional Justice, 2003.

Chapters in From Rhetoric to Responsibility: Making Reparations to the Survivors of Past Political Violence in South Africa (add link), Centre for the Study of Violence and Reconciliation, 2000.

- Crawford-Pinnerup, A., An Assessment of the impact of Urgent Interim Reparations.
- Hamber, B., & Rasmussen, K. (2000). <u>Financing a Reparations Scheme for Victims of Political Violence</u>
- Lapsley, M., & Chubb, K. (2000). <u>Common Guilt or Common Responsibility?</u> Moral Arguments for Reparations.
- Leseka, M. (2000). The TRC's Recommendations on Rehabilitation and Reparation.
- Mofokeng, T., & Hamber, B. (2000). Contextualising Reconciliation and Reparation.
- Sooka, Y. (2000). The Unfinished Business of the TRC.

Chapters in Looking Back, Reaching Forward: Reflections on the Truth and Reconciliation Commission of South Africa, C. Villa-Vicencio & W. Verwoerd (Eds.)

- Orr, W. (2000). Reparations Delayed is Healing Retarded.
- Walaza, N. (2000). Insufficient Healing and Reparation.

<u>Report of The National Strategy Workshop on Reparations</u>, Simon Kimani, Centre for the Study of Violence and Reconciliation, 2001.

#### Zimbabwe

<u>Land Violence and Compensation: Reconceptualising Zimbabwe's Land and War Veterans'</u>
<u>Debate</u>, Tapera Knox Chitiyo, Track Two, 9(1).

Breaking the Silence, Building True Peace: A report on the Disturbances in Matabeleland and the Midlands, 1980 – 1989.

Norma Kriger, "The War Victims Compensation Act", *Journal of African Conflict and Development*, 1, 2000, p. 2.

"Compensation for Gross Human Rights Violations: Torture and the War Victims Compensation Act", A.P. Reeler, Legal Forum, Vol. 10, No. 2, 1998.

# 3. Legislation and Government Agencies and Reports

### **United Nations Offices and Key Documents**

- Office of the United Nations High Commissioner for Human Rights,
- <u>United Nations Compensation Commission</u>
- Universal Declaration of Human Rights
- <u>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or</u> Punishment
- <u>Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,</u> Adopted by General Assembly resolution 40/34 of 29 November 1985
- The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, Final report of the Special Rapporteur, Mr. M. Cherif Bassiouni
- <u>Draft articles on Responsibility of States for Internationally Wrongful Acts</u> adopted by the International Law Commission at its fifty-third session (2001), Official Records of the General Assembly, Fifty-sixth session, Supplement No. 10 (A/56/10), chp.IV.E.1)
- General Conclusions And Recommendations On The Right To Remedy And Reparation
- Specific Recommendations On The Right To Remedy And Reparation
- Study concerning the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, Final report submitted by Mr. Theo van Boven, Special Rapporteur

# African Charter on Human and Peoples' Rights

# South Africa

- Promotion of National Unity and Reconciliation Act (Act No. 34 of 1995)
- Truth and Reconciliation Homepage
- Truth and Reconciliation Final Report (Volumes 1-6)
- Truth and Reconciliation Final Report (Volumes 6-7)
- Policy Framework for Urgent Interim Reparation Measures
- The TRC's Reparations and Rehabilitation Policy
- The TRC Reparation & Rehabilitation Committee Transcripts, Policies & Articles

# Malawi

# National Compensation Tribunal Homepage

- Constitutional Text Creating Malawi's National Compensation Tribunal,
- National Compensation Tribunal Report

#### Zimbabwe

War Victims Compensation Act

#### 4. Journals

Namibian Human Rights and Online Journal

South African Journal on Human Rights

Peace and Change

Development Southern Africa

**Development in Practice** 

The Online Journal of Peace and Conflict Resolution

Peace, Conflict and Development (online)

PeaceWatch (online)

Social Justice

Peace Review: A Journal of Social Justice

#### 5. Conferences

World Conference Against Racism

Reparations: An Interdisciplinary Examination of Some Philosophical Issues, Queen's University, February 6-8, 2004

# 6. Online Bibliographies on Reparations

Transitional Justice Literature Database at the Institute for Justice and Reconciliation.

Truth and Reconciliation Commissions: A Review Essay and Annotated Bibliography, Kevin Avruch and Beatriz Vejarano, *OJPCR: The Online Journal of Peace and Conflict Resolution 4.2: 37-76 (2002)*.

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