



Victims rights as human rights - a matter of old and new rights

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Victims and human rights

Two dimensions

- The significance of universal human rights to victims of non-state crime
- The position of victims' rights in the field of human rights



Why bother?

- The supremacy of human rights
- The development of human rights law
- Poor implementation of victims' rights
- Victims of repeat victimization - protection from crime = human rights protection



Human rights Universal and Specific

**EVERY
HUMAN
HAS
RIGHTS**

**VICTIMS'
RIGHTS**
Putting Victims
First



Pros and cons of being the human rights messenger

Pros

- Supportive of new rights-claimants
- Legitimacy

Cons

- Lack of knowledge
- Uncertainty



The rise of the victim

- **The emancipation of the victim**

The victim as a new actor in the criminal justice system

- **Claims for victims' rights**

"the right to have rights"

A new field in international law

- **Victims discussed in terms of human rights**

Non-state crime as human rights violations



Victims of non-state crime and human rights violations

- the relevant act must have been of a certain severity
- the victim must have been exposed to some degree of discrimination



The objectives of victims' rights instruments

- to protect victims from repeat victimisation
- to protect victims from secondary victimisation



Repeat victimisation

Secondary victimisation

The Crime

- The criminal justice response

The Victim

- Procedural justice



**Crime is a wrong against society
as well as a violation
of the individual rights of victims.**



Universal

Victims' rights

Non-discrimination

Affirmation

...victims of crime should be treated ...without discrimination of any kind based on any ground such as race, color, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, gender, gender expression, gender identity, sexual orientation, residence status or health.



Universal

Victims' rights

All human beings are born free and equal in dignity and rights

Reformulation

It is equally important to ensure that victims are treated in a respectful manner and that they are able to access their rights.



Universal

Victims' rights

Everyone has the right to life, liberty and security of person.

Extention

Specific protection measures should be taken for victims at risk of intimidation, reprisals or repeat victimisation.



Universal

Victims' rights

Access to justice

Innovate

Training should as a minimum include:

- awareness of the risk of causing secondary victimisation and the skills to prevent this



The victim and the model of rights.

A (the victim) has the right to X (support) towards B (the state) because of Y (dignity/access to justice) by means of Z (accountability).



Thank you!