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**Report to the Assembly of States Parties on the projects and the activities of the Board of Directors of the Trust Fund for Victims for the period 1 July 2012 to 30 June 2013*****Executive Summary***

The Trust Fund for Victims (“the Fund” or “TFV”) fulfils two mandates for victims of crimes under jurisdiction of the International Criminal Court (“the Court”): implementing *reparations* ordered by the Court and providing *assistance* to victims and their families by the use of voluntary contributions. The Fund continued its approach of integrating a gender analysis within programming processes, including supporting victims of sexual and gender-based violence through participatory approaches and integrated community-based activities.

Under its assistance mandate, the Fund is supporting over 110,000 victims of crimes under the jurisdiction of the Court through physical and psychological rehabilitation and material support at both the individual and community levels. The programme during the reporting period consists of 28 active projects in northern Uganda and the Democratic Republic of the Congo (DRC), which combines integrated physical and psychological rehabilitation and/or material support. The target beneficiaries of the Fund’s interventions are victims as defined in the Rome Statute, and Rule 85 of the Rules of Procedure and Evidence. An international competitive tendering procedure for the Fund’s programme in the Central African Republic (CAR) was completed; and the Pre-Trial Chamber found that the programme did not pre-determine any issue before the Court. However, due to the deteriorating security situation in the CAR, the Fund suspended its activities in March 2013 until further notice.

The reparation mandate may be activated soon in relation to the first conviction by the Court issued on 14 March 2012 against Mr. Thomas Lubanga for crimes related to the conscription and enlistment of child soldiers. The Court’s Appeals Chamber invited the Fund to submit observations on the appeals against Trial Chamber I’s “Decision establishing the principles and procedures to be applied to reparations” (7 August 2012). In its submission on 8 April 2013, the Fund held, *inter alia*, that the delegation by Trial Chamber I of substantial matters to the Fund in the award of reparations to victims is legitimate and in accordance with the Regulations of the Fund.

The 10<sup>th</sup> annual meeting of the Fund’s Board of Directors (“the Board”) was held in The Hague from 19 through 21 March 2013. The Board approved the proposed project extensions under the assistance mandate in the DRC and northern Uganda with a total amount of €1.9 million; and increased the Fund’s reparations reserve from €1.2 million to €1.8 million. The Board also approved the extension of the Fund’s 2009 – 2012 Strategic Plan until the end of 2013 to allow more time for the development of a new Strategic Plan for 2014-2017.

In accordance with paragraph 11 of the annex to resolution ICC-ASP/1/Res.6, which states that all voluntary contributions, regardless of whether they were accepted or refused, should be reported annually to the Assembly, a list of voluntary contributions is contained in annex I to this report. The list includes, *inter alia*, the contributions received from States (€3,030,406); institutions and individuals (€3,481 and \$500 on the TFV bank accounts, and €6,308 on the TFV PayPal account); in-kind and/or matching donations from implementing partner organizations (equivalent to €27,859 from the period of 1 July 2012 – 31 March 2013); and interest income to the Fund (€62,013). The Fund's Euro checking account showed a balance of €79,706, and the US Dollar account had a balance of \$71,951. In addition, the Fund currently has a savings account with €4,529,690 as of 30 June 2013.

The Board calls upon all States Parties to consider providing voluntary contributions to the Fund. The continued and increased engagement of the largest possible number of States Parties should serve to strengthen the financial and institutional capacity of the Fund to implement its mandates and ensure that victims of crimes within the jurisdiction of the Court benefit from the Rome Statute's promise of reparative justice. In this regard, the Board wishes to reiterate its call for earmarked contributions to strengthen the Fund's reparations reserve; and for continuing its assistance to victims in the situation such as victims of sexual and gender-based violence.

## I. Introduction

1. In accordance with resolution ICC-ASP/1/Res.6 and Regulation 76 of the Regulations of the Trust Fund for Victims,<sup>1</sup> the Board of Directors submits the annual report to the Assembly of States Parties ("the Assembly"). The period covered by this report is from 1 July 2012 until 30 June 2013. The report gives a summary of the achievements made through the implementation of active assistance projects in two situations under the jurisdiction of the Court. The report also provides an update of the financial situation of the Fund, and the prospective budget of the Secretariat for 2014.

## II. Activities and projects

2. The Fund fulfils two mandates: (1) implementing reparations ordered by the International Criminal Court,<sup>2</sup> and (2) providing assistance for the benefit of victims subject to Article 79 of the Rome Statute by the use of other resources.<sup>3</sup> Both mandates provide support to victims of genocide, crimes against humanity and war crimes committed since 1 July 2002.<sup>4</sup>

3. The Fund's Performance Monitoring Plan (PMP) as released under the Fund's 2009 – 2012 Strategic Plan provides the programme framework for implementing the reparation and assistance mandates. The PMP also links to the Rome Statute, key ICC instruments, Regulations of the Fund, international human rights and humanitarian law, relevant United Nations Resolutions, donor frameworks, and other applicable treaties, principles and transitional justice initiatives.

4. The Fund continued its approach of integrating a gender analysis within programming processes, including supporting victims of sexual and gender-based violence through participatory approaches and integrated community-based activities. The Fund considers that empowering victims, especially women and girls, remains a key step toward ending impunity for perpetrators, establishing durable peace and reconciliation in conflict settings and successfully implementing United Nations Security Council Resolutions on Women, Peace and Security.

<sup>1</sup> Regulation 76 of the Regulations of the Trust Fund for Victims states that the Board "shall submit a written annual report on the activities of the Trust Fund to the Committee on Budget and Finance and the External Auditor and the Assembly of States Parties, through its President."

<sup>2</sup> Article 75 (2) of the Rome Statute and Rule 98 (2), (3), (4) of the Rules of Procedure and Evidence.

<sup>3</sup> Rule 98 (5) of the Rules of Procedure and Evidence. For more information on the Fund's legal basis, please see <http://trustfundforvictims.org/legal-basis>.

<sup>4</sup> As defined in Articles 6, 7 and 8 of the Rome Statute.

5. After almost five years of providing victims' assistance in northern Uganda and the DRC through implementing partners, the Fund launched a comprehensive external programme evaluation in 2013 after a contract was awarded to the International Center for Research on Women (ICRW)<sup>5</sup> following a competitive procurement process. The evaluation aims at determining the significance and the impact of the programme developed and implemented in northern Uganda and eastern DRC since 2008. The methodology is based on the OECD DAC evaluation principles, which are the international norms for best practice. The outcome of the external programme evaluation findings will be made available publicly at the Assembly of States' Parties meeting, and will help to inform the Fund's Strategic Plan (2014-2017).

## A. Reparations mandate

6. The Fund's reparations mandate is related to each case before the Court. Resources are collected through fines or forfeiture and awards for reparations<sup>6</sup> and complemented with "other resources of the Trust Fund" if the Board of Directors so determines.<sup>7</sup> The Court may order that an award for reparations against a convicted person be deposited with the Fund where at the time of making the order it is impossible or impracticable to make individual awards directly to each victim. The Fund shall take receipt of resources collected through awards for reparations and shall separate such resources from the remaining resources of the Fund in accordance with Rule 98 of the Rules of Procedure and Evidence.

7. This mandate may be activated for the first time in relation to the first conviction by the Court issued on 14 March 2012 against Mr. Thomas Lubanga for crimes related to the conscription and enlistment of child soldiers. Reparations proceedings in the Lubanga case are in the appeal phase. The Appeals Chamber determined in December 2012 suspensive effect with respect to the Trial Chamber I's decision of 7 August 2012 on principles and procedures to be applied to reparations. Therefore, the Trust Fund has to wait until the final decision of the Appeals Chamber is issued in order to proceed with implementation.

8. On 8 April 2013, on the invitation from the Appeals Chamber, the Trust Fund submitted its observations on the appeals against the 7 August 2012 decision.<sup>8</sup> Taking into account that this decision is the only decision on reparations matters in this case, the Appeals Chamber allowed the decision to be appealed on the basis that the Trial Chamber's decision must be deemed to be a reparations order in the meaning of Article 75.

9. The Defence, both victims groups and the Office of Public Counsel for Victims ("OPCV") appealed the Trial Chamber I's decision. The Fund in its observations supported the approach of the Trial Chamber I to distinguish between victims in the meaning of Rule 85 and "beneficiaries" who benefit from broader community-based reparations programmes but who are not to be considered direct or indirect victims of the case. The Fund agreed with the appellants of victims group V01 that the convicted person must be held liable for reparations regardless of his or her financial situation. With regard to the delegation of substantial matters to the Fund, it held that this delegation is legitimate and in accordance with the Regulations of the Fund, under which it may, *inter alia*, ensure the assistance of experts; determine the eligible individuals or group; assess the damage, harm and injuries and determine, in consultation with the victims, proposals for reparations which will be finally approved by a new Chamber.<sup>9</sup>

<sup>5</sup> ICRW's mission is to empower women, advance gender equality and fight poverty in the developing world. To accomplish this, ICRW works with partners to conduct empirical research, build capacity and advocate for evidence-based, practical ways to change policies and programmes. For more information please visit: <http://www.icrw.org/>.

<sup>6</sup> Regulations 43 to 46 of the Regulations of the Trust Fund for Victims.

<sup>7</sup> Regulation 56 of the Regulations of the Trust Fund for Victims.

<sup>8</sup> ICC-01/04-01/06-3009, Observations of the Trust Fund for Victims on the appeals against Trial Chamber I's "Decision establishing the principles and procedures to be applied to reparations", Trust Fund for Victims, 08 April 2013.

<sup>9</sup> Regulations of the Trust Fund for Victims, Part III, Chapters III and IV.

10. To prepare for the implementation of Court-ordered reparations, the Fund builds a multi-disciplinary roster of experts (individuals and organisations) who may be called upon to assist in the various stages and dimensions of implementation. The Fund expects to launch a call for experts in the second half of 2013. The exact roles and responsibilities of the Fund in the implementation of Court-ordered reparations will be clearer once the final decisions by the Appeals Chamber in the *Lubanga* case are rendered. It will also be necessary for the Fund to be given adequate financial and staff resources to embark upon and successfully accomplish these core activities of reparative justice under the Rome Statute system.

11. The experience of implementing assistance programmes can help to inform implementation strategies for Court-ordered reparations. The Fund possesses multi-disciplinary expertise and in-depth knowledge of the Court situations and various implementation modalities. In areas where reparations awards coincide with the assistance mandate, the Fund is aware that the interplay between both mandates will require close collaboration between the Registry and Fund in the areas of communications, outreach, security and field operations.

## B. Assistance Mandate

12. Between 1 July 2012 and 30 June 2013, the Fund supported over 110,000 victims of crimes under the jurisdiction of the International Criminal Court through physical rehabilitation, psychological rehabilitation and material support at both individual and community levels. The types of services provided include (but are not limited to):

a) *Physical Rehabilitation* which includes reconstructive surgery, general surgery, bullet and bomb fragment removal, prosthetic and orthopaedic devices, referrals to services like fistula repair, and HIV and AIDS screening, treatment, care and support;

b) *Psychological Rehabilitation* which includes both individual and group-based trauma counselling; music, dance and drama groups to promote social cohesion and healing; community sensitisation workshops and radio broadcasts on victims' rights, information sessions and large-scale community meetings. Community awareness responses may include *engaging community dialogue and reconciliation* to foster peace within and between the communities that create a suitable environment for prevention of crimes;

c) *Material Support* may include environmentally-friendly livelihood activities, education grants, vocational training, or access to referral services that offer income generation and training opportunities to focus on longer-term economic empowerment. *Building the capacity of implementing partners and victims* is part of these initiatives to reinforce the sustainability of the interventions; and

d) *Implementing special initiatives for victims of sexual violence and their children, including children born out of rape* may include access to basic health services, trauma-counselling aimed at strengthening the mother to child to family bonds, education grants, nutrition support, and inter-generational responses addressing stigma, discrimination and reconciliation in families and communities.

13. The majority of the Trust Fund's victim beneficiaries receive a combination of integrated physical and psychological rehabilitation with material support. The target beneficiaries of the Fund's interventions, include:

a) *SGBV*: victims of sexual and gender-based violence, including rape, forced pregnancy, sexual slavery, victims targeted disproportionately because of their specific gender identity, and girls abducted and/or recruited into armed groups and forcefully impregnated;

b) *Widows/widowers*: those whose partners were killed;

c) *Former child soldiers/abducted youth*: children and youth under the age of 15 forced and/or enlisted, conscripted or recruited into armed groups (regardless of their particular role(s) played during conflict);

d) *Orphans and vulnerable children*: children whose parent(s) were killed or children otherwise made vulnerable by the violence;

e) *Physical and mental trauma*: victims who suffered a physical injury and/or who were psychologically traumatised by violence; and

f) *Family and other victims*: family members of victims and others who do not fall in the above categories but were affected by violence.

14. The assistance programme during the reporting period comprises approximately 28 active projects<sup>10</sup> in northern Uganda (15 projects covering the Lango, Teso, and Acholi sub-regions and Adjumani District) and the DRC (13 projects covering the Ituri District, and North and South Kivu Provinces). The Fund is working with local grassroots organisations, victims' survivor groups, women's associations, faith-based organisations, village savings and loans associations, and international non-governmental organisations to administer the assistance mandate. During this reporting period, several monitoring visits were conducted by the Fund's staff to oversee programme development, strengthen local capacities, and support project monitoring, evaluation, reporting and learning. All projects were subjected to an administrative and technical review as part of this process.

15. In northern Uganda, the Board agreed to a transition of the livelihood assistance during 2013-2015 because a causal connection of material injuries to ICC crimes is no longer directly attributable. However, there a causal connection of physical or psychological injuries to ICC crimes is still evident. Therefore, a decision was made to scale-up physical and psychological rehabilitation assistance to repair injuries continually experienced by victims in northern Uganda. Moreover, the Fund is engaging with Ugandan stakeholders – governmental and non-governmental – on reparations and reconciliation initiatives in the framework of transitional justice.

16. In the DRC, the Fund's programmes are implementing in a context of chronic conflict instability and weak state governance. Interventions focus on developing an integrated response to victimisation, including psychological support and trauma-based counselling, reconciliation at family and community levels, livelihood development and educational programming in schools. Particularly vulnerable groups, such as former child soldiers and victims of sexual and gender-based violence receive special care and support.

17. The launch of the Fund's programme in the CAR is pending the resolution of current political and security crises. Towards the end of 2012, the Fund completed an open and transparent procurement process in collaboration with the Registry, resulting in the selection of projects and partners within a programmatic framework that focuses on victims of sexual and gender-based violence. In October 2012, the Pre-Trial Chamber found that the programme in CAR did not pre-determine any issue before the Court. However, due to the deteriorating security situation in the CAR, the Fund had to suspend its activities in March 2013 until further notice.

18. Security constraints continue to provide challenges for branding the Fund's assistance and disclose partner names in the DRC. An important ambition for the Fund will be to strengthen the capacities of local partners to deliver trauma-based counselling linked to medical services and reconciliation efforts for victims and affected communities.

## C. Risk management framework

19. Responding to a prior recommendation of the External Auditor, the Fund contracted the services of Deloitte Risk Services BV in December 2012 to identify risks at the institutional, situational and organisational levels. The consultant has met with the Fund's Secretariat, Board, Chair of the Committee on Budget and Finance ("the Committee"), and has consulted with other stakeholders, including representatives from the Court, States Parties and civil society. The outcome of this project is expected to be delivered in the third quarter of 2013 and should also serve to inform the Fund's next strategic plan.

<sup>10</sup> The TFV has a total of 34 approved projects for both the DRC and northern Uganda, however some projects have come to completion or are awaiting the identification of new partners and others have transitioned to other donor initiatives.

## D. Tenth annual meeting of the Board of Directors

20. At the Assembly meeting in November 2012, States Parties elected a new Board of Directors for the Trust Fund for Victims. Two members were re-elected: Ms Vike-Freiberga (Latvia, Eastern European States) and Ms Elisabeth Rehn (Finland, Western European and Other States) and the Board's Chair during 2010-2012. Three new members were elected: Mr. Motoo Noguchi (Japan, Asian States), Prof. Sayeman Bula-Bula (DRC, African States) and Mr. Denys Toscano Amores (Ecuador, Latin American and Caribbean States).

21. The new Board convened for its tenth annual meeting on 19-21 March 2013, for the first time in its present composition. The Registrar also attended several sessions to provide additional information and respond to questions; and was represented by Registry staff in other sessions. The Board elected Mr. Noguchi as its Chair for the period 2013-2015. The full list of the Board's decisions has been published on the TFV website.

22. Regarding the Fund Secretariat's proposed budget for 2014 (Major Programme VI), the Board endorsed the Secretariat outline for a budget proposal, pending review by the Board of the final draft. The Board specified that the newly proposed P-3 position in the Bangui Field Office should be made contingent on the security situation improving in the CAR.

23. The Board approved an increase to the Fund's reparations reserve by €200,000 from the common basket resources. Together with the earmarked contributions received from Germany (€300,000 for the Lubanga case) and Finland (€107,000), this raised the reparations reserve to €1,807,000 - around one third of the Fund's total resources.

24. The Board approved project extensions in the DRC and northern Uganda (2013-2014) with a total amount of €1.9 million. The Board also approved the issuance of tenders in the northern Uganda programme for providing physical rehabilitation in the form of medical services with community mobilization and outreach. Moreover, the Board approved the Secretariat's proposals to issue a call for programme technical consultants, reparations experts, and to initiate a comprehensive review of the Secretariat's staffing structure, roles and responsibilities for potential reclassifications.

25. Finally, the Board approved the extension of the Fund's 2009-2012 Strategic Plan through 2013. It also approved the road map for the development of the next Strategic Plan (2013-2017 with the understanding that the process will be led by the Fund's Executive Director under the supervision of the Board.

26. On behalf of the Board, Ms. Elisabeth Rehn participated at the 57<sup>th</sup> Session of the Commission on the Status of Women (CSW) in New York. She also presented at a side event on *Achieving Gender Justice: the Case for Reparations* on 7 March 2013. In June 2013, Her Excellency Dr. Vaira Vēfreiberga and the Executive Director had a meeting with the EU Commissioner for Development in Brussels to discuss possibilities of a European partnership with the Trust Fund.

## E. Assistance provided by the Registry

27. In accordance with the annex to resolution ICC-ASP/1/Res.6 and with resolution ICC-ASP/3/Res.7, and mindful of the independence of the Board and the Secretariat, the Registrar provided such assistance as was necessary for the proper functioning of the Board and the Secretariat.

28. The assistance was provided, inter alia, by the Immediate Office of the Registrar, Budget and Finance, Legal Advisory Services Section, Public Information and Documentation, Court Interpretation and Translation, Field Operations, Security and Safety, General Services, Human Resources and the Information and Communication Technologies Section.

29. The requirement for the Fund to operate within the framework of the Court's Financial Regulations and Rules (FRR) creates particular challenges, as the FRR were not developed in consideration of the Fund's need to respond urgently to victims needs through grant-making and/or the implementation of reparations awards. The Board notes with

appreciation the efforts of the various related sections of the Registry to assist in the sound and effective management of the Fund's resources. In 2012, the Registrar issued administrative delegations of authority to the Fund's Executive Director to sign services contracts up to a value of €250,000, and to manage the PayPal account on the Funds website.

### III. Financial Report

#### A. Status of voluntary contributions

30. In accordance with paragraph 11 of the annex to resolution ICC-ASP/1/Res.6, which states that all offered voluntary contributions, regardless of whether they were accepted or refused, should be reported annually to the Assembly, a list of voluntary contributions is contained in annex I to this report. The list includes, *inter alia*, the contributions received from States at €3,030,406; institutions and individuals (€8,481 and \$500 on the TFV bank accounts and €36,308 on the TFV PayPal account); in-kind and/or matching donations from implementing partner organizations (equivalent to €27,859 from the period of 1 July 2012 – 31 March 2013); and interest income to the Fund of €62,013.

31. The Fund's Euro account showed a balance of €579,706; the US Dollar account had a balance of \$71,951. In addition, the Fund currently has a savings account of €4,529,690 as per 30<sup>th</sup> June 2013. The Secretariat manages the resources received from donors and reports on their use following the criteria described in the annex to resolution ICC-ASP/4/Res.3.<sup>11</sup> The Secretariat reports on earmarked contributions separately in most cases, as this information is required by some of the donors.

#### B. Voluntary contributions and private donations to the Fund

32. The Board wishes to express its gratitude for the contributions received during the period covered by the present report, and urges States Parties and others to continue contributing to the Fund. In its official communiqué following the Annual Meeting in March 2013, the Board noted that contributions by States Parties continue to be on the rise. The Board reiterated that all voluntary contributions, modest and sizeable, are very much welcomed, as they represent a commitment to the cause of reparative justice for victims as enshrined in the Rome Statute.

33. The Board, mindful of the great symbolic value of States Parties contributing to the Fund's resources, is encouraging *all* States Parties to come to the support of the Fund, within the limits of their financial abilities. In the view of the Board, the broadest possible support within the Assembly will serve to strengthen the institutional position of the Fund as an indispensable and effective element of the Rome Statute, responsive to the rights and needs of victims of crimes within the jurisdiction of the Court. In March 2013, The Board expressed the wish that in three years' time, all States Parties will have come to the support of the Trust Fund to the best of their financial abilities.

34. The Board wishes to reiterate its calls for earmarked contributions for victims of sexual and gender-based violence (SGBV) and to strengthen the Fund's reparations reserve.

35. Voluntary contributions to the Fund are increasingly characterised by the desire of States Parties to develop longer-term, policy-based partnerships with the Fund. One example is the donation of the United Kingdom (UK) of £500,000 (€610,950) in February 2013, earmarked for victims of sexual and gender-based crimes within the framework of the UK's G8 Prevention of Sexual Violence Initiative (PSVI). The Fund's Senior Programme Officer participates as an expert in the PSVI initiative, which helps to ensure integration and coordination with the Fund. At the G8 summit on 11 April 2013, the Ministers also issued a declaration emphasising the need to support victims of sexual violence and calling upon the international community, including the G8, "to increase their

<sup>11</sup> Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourth session, The Hague, 28 November to 3 December 2005 (International Criminal Court publication, ICC-ASP/4/32), part III.

efforts to mobilise such funding, including to programmes such as the ICC Trust Fund for Victims and its implementing partners.”<sup>12</sup> This call was echoed in the UN Security Council Resolution 2106 of 24 June 2013 on Women, Peace and Security.<sup>13</sup>

36. Diversification to private donors remains a key challenge for the Fund. The various markets for private donations – both from institutional and individual parties – are highly competitive and relatively saturated. The Secretariat has limited capacity to undertake such efforts at a meaningful scale and instead focusses on the selective pursuit of fundraising leads. However, the Fund remains confident that it should be able to achieve success in these markets, given its unprecedented mandates to address the plight of victims of the most serious international crimes. The donation of \$50,000 by the Ferencz family’s Planethood Foundation was received in March 2013, and constitutes the first substantial private donation to the Fund - an initiative of former Nuremberg Prosecutor Benjamin Ferencz and his son Donald.

37. In 2012, the Board adopted guidelines for accepting private donations, which were required by the Fund’s regulations and developed in close collaboration with the Registry. The Fund’s PayPal account became operational at the end of 2012, allowing for an easy, web-based interface to facilitate private donations. The Secretariat is working with the Registry to develop policies and standard operating procedures related to the vetting of private donations over an amount of \$5,000.

38. The transfer of fines and forfeitures from a convicted person as ordered by the Court for the purpose of reparations to victims is outside of the direct control of the Fund. Yet, the Fund does have an interest in its successful development. The Board calls upon the Court and States Parties to strengthen the Court’s capacity to investigate and pursue the identification, freezing and seizure of assets for the purpose of reparations, and to intensify States Parties cooperation with the Court to this effect.

### C. External Audit 2012

39. The Court has contracted the *Cour des Comptes* to provide external audit services to both the Court and the Fund. Accordingly, in July 2013, the National Audit Office submitted to the Board the draft auditor’s report containing the financial statements of the Fund for the period ending 31 December 2012. As indicated in this report, the audit examination revealed no weaknesses or errors, which are material to the accuracy, completeness and validity of the financial statements. As a result, the *Cour des Comptes* issued an unqualified audit opinion on the 2012 financial statements of the Fund.

40. The report of the External Auditors contained the following recommendations:

**Recommendation n°1:** The External Auditor recommends improving the ways of working between the Trust Fund for Victims and the ICC Budget and Finance Section by taking the necessary steps to help ensure that the ICC accounting function responds in a timely manner to reasonable demands from the External Auditor. This should also put meeting the requirements of the upcoming implementation of IPSAS standards as a key priority for TFV and the ICC accounting function.

**Recommendation n°2:** The External Auditor recommends to the Board of Directors of TFV to decide which accounting policy to apply by making a judgement based on a detailed analysis of all contracts with respect to measurable performance conditions and enforceable refund of funds. It is also recommended that the TFV Board of Directors initiates this analysis performing it in close collaboration with the ICC IPSAS Unit head.

41. In response to these recommendations, the Board issued the following statement: “Noting the main findings and the two recommendations made in the draft ‘External Audit Report on the Trust Fund for Victims 2012 Financial Statements,’ the TFV expresses its appreciation and offers no further comment.”

<sup>12</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/185008/G8\\_PSVI\\_Declaration\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/185008/G8_PSVI_Declaration_FINAL.pdf).

<sup>13</sup> [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/2106\(2013\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2106(2013)).



#### **IV. Proposed budget for 2014 (MP VI)**

42. In accordance with resolution ICC-ASP/4/Res.3, the Board prepared the 2014 proposed budget for the Secretariat, as Major Programme VI in the Court's Budget, established pursuant to resolution ICC-ASP/3/Res.7. The proposed programme budget is submitted annually to the Assembly for approval, following paragraph 6 of the annex to resolution ICC-ASP/1/Res.6. The Board is fully aware of the budgetary constraints the Court continues to face.

43. The Board also accepts the responsibility to ensure that the Secretariat is able to address the foreseeable increased workload, considering the rise in the number of situations where the Fund will be active and, in particular, the implementation of Court-ordered reparations. In regard to the Fund's programme in the CAR, the Fund has opted out of including the required new P-3 position to be based in Bangui (CAR) in the proposed MP VI budget with the option of seeking access to the Contingency Fund should the security situation sufficiently improve in 2014.

44. The total proposed Major Programme VI budget for 2014 is €1,595,200, as compared to an approved budget for 2013 of €1,580,000. The Board respectfully requests that the Assembly exempts Major Programme VI from the application of the vacancy rate to both established and GTA positions.

## Annex I

### A. Voluntary contributions received by the Trust Fund for Victims

The Fund received the following voluntary contributions from States during the period from 1 July 2012 to 30 June 2013:

<i>Contribution from States</i>	<i>Euros (€)</i>
Australia	115,000.00
Austria	10,000.00
Belgium	48,000.00
Czech Republic	7,491.82
Estonia	30,000.00
Finland	307,066.35
Germany	300,000.00
Hungary	10,000.00
Ireland	50,000.00
Norway	272,609.55
Poland	15,000.00
Republic of Korea	38,599.90 (US\$ 50,000)
Switzerland	100,000.00
The Netherlands	475,000.00
United Kingdom	1,251,638.00
<b>Total States' contributions</b>	<b>3,030,405.62</b>

In addition to the above-mentioned contributions from States, the Fund received during the period from 1 July 2012 to 30 June 2013:

- €8,481.35 and US\$ 500.00 in cash contributions from individuals and institutions;
- €327,859 in-kind and/or matching donations from implementing partners from the period of 1 July 2012 – 31 March 2013 (details in annex II); and
- €62,012.75 interest income.

### B. List of voluntary contributions per bank accounts

#### 1. ABN AMRO (in €)

Bank Name: ABN AMRO  
 Account Holder: Trust Fund for Victims  
 Currency: Euro (€)  
 Account Number: 53.84.65.115  
 IBAN: NL54ABNA0538465115  
 Swift: ABNANL2A

**Bank details, including contributions received, from 1 July 2012 to 30 June 2013**

<i>Details</i>	<i>Euros (€)</i>
Opening balance	280,545.26
Contributions from individuals and institutions*	8,481.35
Contributions from States	2,991,805.72
Grant / project payments	(1,433,880.54)
Refund unused project funds	(19,545.92)
Transfer from checking to savings account	(1,309,690)
Transfer from savings to checking account	0.00
Interest income	62,012.75
Bank charges	(22.87)
<b>Balance as at 30 June 2013</b>	<b>579,705.75</b>

\*Please note that the balance of the PayPal account as at 30 June 2013 shows €36,308.48 which is still to be transferred into the Fund's Euro account.

<i>Contributions from individuals and institutions by month</i>	<i>Euros (€)</i>
July 2012	390.00
August 2012	1,710.00
September 2012	185.00
October 2012	1,055.00
November 2012	155.00
December 2012	3,155.00
January 2013	514.62
February 2013	155.00
March 2013	390.00
April 2013	125.00
May 2013	125.00
June 2013	521.73
<b>Total</b>	<b>8,481.35</b>

<i>Contributions from States by month</i>	<i>Euros (€)</i>
July 2012	139,000.00
August 2012	640,688.00
September 2012	50,000.00
October 2012	15,000.00
November 2012	7,491.82
December 2012	1,488,675.90
January 2013	610,950.00
February 2013	0.00
March 2013	0.00
April 2013	0.00
May 2013	30,000.00
June 2013	10,000.00
<b>Total</b>	<b>2,991,805.72</b>

## 2. ABN AMRO (in €)

Bank Name: ABN AMRO  
Account Holder: Trust Fund for Victims Business Top Deposit Account  
Currency: Euro (€)  
Account Number: 40.62.65.615

### Bank details, including bank transfers from 1 July 2012 to 30 June 2013:

<i>Details</i>	<i>Euros (€)</i>
Opening balance	3,220,000.00
Transfer from checking to savings account	1,309,690.00
Transfer from savings to checking account	0.00
<b>Balance as at 30 June 2012</b>	<b>4,529,690.00</b>

## 3. ABN AMRO (in US\$)

Bank Name: ABN AMRO  
Account Holder: Trust Fund for Victims  
Currency: USD (US\$)  
Account Number: 53.86.21.176  
IBAN: NL87ABNA0538621176  
Swift: ABNANL2A

### Bank details, including contributions received, from 1 July 2012 to 30 June 2013

<i>Details</i>	<i>US\$</i>
Opening balance	19,897.66
Contributions from individuals and institutions	500.00
Contributions from States	50,000.00
Grant / project payments	(0.00)
Refund unused project funds	1,552.89
Interest income	0.00
Bank charges	0.00
<b>Balance as at 30 June 2013</b>	<b>71,950.55</b>

<i>Contributions from individuals and institutions by month</i>	<i>US Dollars (US\$)</i>
July 2012	0.00
August 2012	0.00
September 2012	0.00
October 2012	0.00
November 2012	0.00
December 2012	500.00
January 2013	0.00
February 2013	0.00
March 2013	0.00
April 2013	0.00
May 2013	0.00
June 2013	0.00
<b>Total</b>	<b>500.00</b>

<i>Contributions from States by month</i>	<i>US Dollars (US\$)</i>
July 2012	0.00
August 2012	0.00
September 2012	0.00
October 2012	0.00
November 2012	0.00
December 2012	50,000.00
January 2013	0.00
February 2013	0.00
March 2013	0.00
April 2013	0.00
May 2013	0.00
June 2013	0.00
<b>Total</b>	<b>50,000.00</b>

## Annex II

## Projects implemented during the period 1 July 2012 to 30 June 2013

### Uganda (15 projects)

**Project(s):** TFV/UG/2007/R1/003, TFV/UG/2007/R1/005, TFV/UG/2007/R1/006, TFV/UG/2007/R1/016, TFV/UG/2007/R1/020, TFV/UG/2007/R1/025, TFV/UG/2007/R2/035 - **Project closed**

**Project title:** Harnessing opportunities to protect and end violence (HOPE)

**Budget:** UGX 3,228,683,029

**Matching funds by implementing partner:** €2,177\*

**Duration:** December 2008 – June 2013

**Type of victim and intervention:** Physical rehabilitation, psychological rehabilitation and material support for victims, including former abductees and victim communities.

**Project(s):** TFV/UG/2007/R1/14(b) - **Project Closed**

**Project title:** Watoto Surgical Intervention – Northern Uganda

**Budget:** UGX 417,000,000

**Matching funds by implementing partner:** €23,740\*

**Duration:** January 2011 – April 2013

**Type of victim and intervention:** Physical rehabilitation and psychological rehabilitation for mutilated victims.

**Project(s):** TFV/UG/2007/R1/14(c)

**Project title:** Treating the Mental Health Needs of Ugandan Victims of War Crimes: A Service and Capacity Building Approach

**Budget:** UGX 1,863,924,518

**Matching funds by implementing partner:** €2,882\*

**Duration:** October 2009 – October 2013

**Type of victim and intervention:** Psychological rehabilitation for victimized communities.

**Project(s):** TFV/UG/2007/R1/018, TFV/UG/2007/R2/042

**Project title:** Capacity building, advocacy and medical rehabilitation for victims of war.

**Budget:** €439,575

**Matching funds by implementing partner:** €16,139\*

**Duration:** November 2008 – October 2013

**Type of victim and intervention:** Physical rehabilitation, psychological rehabilitation and material support for physically disabled victims of war.

<b>Project(s):</b> TFV/UG/2007/R2/038 – <b>Project closed</b>
<b>Project title:</b> Restoration of livelihoods for the war victims
<b>Budget:</b> UGX 865,544,000
<b>Matching funds by implementing partner:</b> €12,236 *
<b>Duration:</b> November 2008 – May 2013
<b>Type of victim and intervention:</b> Psychological rehabilitation and material support for victims of war, including both ex-combatants and non-ex-combatants.
<b>Project(s):</b> TFV/UG/2007/R2/039, TFV/UG/2007/R2/041
<b>Project title:</b> The Okweyo initiative
<b>Budget:</b> UGX 525,856,200
<b>No matching funds reported during the period</b>
<b>Duration:</b> November 2008 – November 2013
<b>Type of victim and intervention:</b> Physical rehabilitation, psychological rehabilitation and material support for wounded and/or traumatized victims and their families.
<b>Project(s):</b> TFV/UG/2007/R2/040
<b>Project title:</b> Awareness and response to sexual gender-based violence among the war-affected population of Northern Uganda
<b>Budget:</b> €90,000
<b>Matching funds by implementing partner:</b> €85,920*
<b>Duration:</b> November 2008 – April 2014
<b>Type of victim and intervention:</b> Psychological rehabilitation and material support for war-affected youth and women.
Note: The budget stated in the above tables corresponds to the total amount approved for the whole project duration through the end of the current contract.
* The matching funds cover only the period from 1 July 2012 to 31 March 2013. The exchange rate for June 2013 (1 EUR= 0.767 USD and 2,595 UGX) was used to calculate the values.
<b>Democratic Republic of the Congo (13 projects)</b>
<b>Project(s):</b> TFV/DRC/2007/R1/001, TFV/DRC/2007/R1/031, TFV/DRC/2007/R2/036
<b>Project title:</b> <i>Renforcement des Capacités des Survivants des Violences Sexuelles et leurs Communautés</i>
<b>Budget:</b> \$600,000
<b>Matching funds by implementing partner:</b> €9,716*
<b>Duration:</b> December 2009 – August 2013
<b>Type of victim and intervention:</b> Physical rehabilitation and psychological rehabilitation for victims of SGBV.

<b>Project(s):</b> TFV/DRC/2007/R1/004; TFV/DRC/2007/R2/027
<b>Project title:</b> <i>Caravane de la Paix dans les territoires d'Irumu, Djugu, Mahagi et Aru</i>
<b>Budget:</b> \$1,417,960
<b>Matching funds by implementing partner:</b> €6,213*
<b>Duration:</b> November 2008- June 2014
<b>Type of victim and intervention:</b> Psychological rehabilitation, physical rehabilitation and material support for communities victimized by war.
<b>Project(s):</b> TFV/DRC/2007/R1/019
<b>Project title:</b> <i>A l'école de la paix</i>
<b>Budget:</b> \$742,864
<b>Matching funds by implementing partner:</b> €12,609*
<b>Duration:</b> November 2008 – June 2014
<b>Type of victim and intervention:</b> Psychological rehabilitation for children orphaned by war.
<b>Project(s):</b> TFV/DRC/2007/R1/021
<b>Project title:</b> <i>Projet de Réinsertion Socio-économique des victimes des violences sexuelles dues à la guerre</i>
<b>Budget:</b> \$845,974
<b>Matching funds by implementing partner:</b> €15,428*
<b>Duration:</b> November 2008 – June 2014
<b>Type of victim and intervention:</b> Psychological rehabilitation and material support for victims of sexual violence and their children.
<b>Project(s):</b> TFV/DRC/2007/R1/022
<b>Project title:</b> <i>Accompagnement psychosocial des 288 victimes des Violences Sexuelles à Bunia et 8 localités périphériques</i>
<b>Budget:</b> \$595,770
<b>Matching funds by implementing partner:</b> €1,888*
<b>Duration:</b> December 2008 – June 2014
<b>Type of victim and intervention:</b> Psychological rehabilitation and material support for victims of sexual violence and their families.
<b>Project(s):</b> TFV/DRC/2007/R2/028, TFV/DRC/2007/R2/029
<b>Project title:</b> <i>Réinsertion des jeunes victimes des conflits armés en Ituri pour favoriser la réconciliation et la réparation individuelle et communautaire</i>
<b>Budget:</b> \$1,391,257
<b>Matching funds by implementing partner:</b> €29,395*
<b>Duration:</b> November 2008 – June 2014
<b>Type of victim and intervention:</b> Psychological rehabilitation and material support for teenage mothers associated with armed forces and groups, former child soldiers and vulnerable children.



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**Project(s):** TFV/DRC/2007/R1/026, TFV/DRC/2007/R2/030

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**Project title:** *Projet de Réinsertion des Ex EAFGAs dans le territoire de Mahagi*

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**Budget:** \$1,053,404

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**Matching funds by implementing partner:** €3,969\*

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**Duration:** November 2008 – June 2014

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**Type of victim and intervention:** Psychological rehabilitation and material support for children and youth formerly associated with armed groups, orphans, former child soldiers and vulnerable children.

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**Project(s):** TFV/DRC/2007/R2/032

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**Project title:** *Reconnaissance de l'état de victimes et appui à la réparation matérielle et psychologique et physique de crimes de guerre et de crimes contre l'humanité au SUD-KIVU*

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**Budget:** \$371,647

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**Matching funds by implementing partner:** €5,545\*

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**Duration:** November 2008 – June 2014

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**Type of victim and intervention:** Psychological rehabilitation and material support for victims of war crimes and crimes against humanity.

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Note: The budget stated in the above tables corresponds to the total amount approved for the whole project duration through the end of the current contract.

\*The matching funds cover only the period from 1 July 2012 to 31 March 2013. The exchange rate for June 2013 (1 EUR= 0.767 USD and 2,595 UGX) was used to calculate the values.

### Annex III

## Organisational chart, Trust Fund for Victims

