

**Fourteenth session**

The Hague, 18-26 November 2015

**Proposed Programme Budget for 2016  
of the International Criminal Court****Corrigendum**

764. Paragraphs 734-764 and tables 102-103:

*Replace paragraphs and tables with following paragraphs and tables:*

**Major Programme VI: Secretariat of the Trust Fund for Victims****Introduction**

734. The Trust Fund for Victims (TFV) at the International Criminal Court supports activities which address the harm resulting from crimes under the jurisdiction of the Court by assisting victims to return to a dignified and contributory life within their communities. The TFV fulfils two mandates: (1) administering reparations ordered by the Court against a convicted person,<sup>1</sup> and (2) using other resources for the benefit of victims in accordance with the provisions of article 79 of the Rome Statute.<sup>2</sup> Both mandates provide support to victims of genocide, crimes against humanity and war crimes committed since 1 July 2002.<sup>3</sup>

735. The present budget submission follows on and is a corrigendum to the draft budget submitted in May 2015, taking into account the decision of the TFV Board of Directors on the structure of the TFV Secretariat (August 2015), in consideration of the outcomes of the *ReVision* of the TFV, which was carried out on request of the TFV Board of Directors, as completed in July 2015.

**Strategic Goals**

736. While the strategies of the Court and the TFV are related, the TFV's strategic goals are specific to its dual mandate of delivering assistance and reparations to victims under the jurisdiction of the Court and within a particular governance framework, in which the Board of Directors is directly accountable to the States Parties for the activities of the TFV.<sup>4</sup> Furthermore, the TFV's victim assistance projects are not financed out of assessed contributions, but primarily through voluntary contributions and private donations; and in the case of reparations, by such awards, fines and forfeitures as may be ordered by the

<sup>1</sup> Rule 98(2), (3) and (4) of the Rules of Procedure and Evidence.

<sup>2</sup> Rule 98(5) of the Rules of Procedure and Evidence. For more information on the TFV's legal basis, see <http://trustfundforvictims.org/legal-basis>.

<sup>3</sup> As defined in articles 6, 7 and 8 of the Rome Statute.

<sup>4</sup> Regulations of the Trust Fund for Victims (RTFV), ICC-ASP/4/Res 3; Regulation 76.

Court and / or by way of complementing payments for awards with “other resources of the Trust Fund”, if so decided by the Board of Directors.<sup>5</sup>

737. The TFV’s strategic goals are defined in the Strategic Plan for 2014-2017, as adopted by the Board of Directors in August 2014. The strategic goals of the TFV highlight the importance that the TFV Board attaches to programme and management performance, visibility and recognition, effective and efficient organizational development and financial sustainability in order to ensure that the TFV matures as envisaged by the States Parties.

738. The TFV’s mission is to respond to the harm resulting from the crimes under the jurisdiction of the ICC by ensuring the rights of victims and their families through the provision of reparations and assistance.

739. The TFV’s results framework is in development and expected to be completed in the course of 2015. Pending the outcome of this process, the present narrative contains an indicative presentation of the types of results in development for each of the TFV’s strategic goals. It is noted that, next to strategic goals, the TFV has developed expected results for each of the cross-cutting themes identified in the Strategic Plan 2014-2017.

740. The TFV’s strategic goals and the related types of expected results are:

(a) *Goal 1*

Victims and their families overcome harm, lead a dignified life, and contribute towards reconciliation and peace-building within their communities as a result of support provided by the TFV through quality programmes that ensure strengthened local capacity through meaningful participation, strengthened systems, enhanced learning and innovation

Expected results:

- (i) reparative value delivered to victims, their families and communities in response to harm suffered as a result from ICC crimes, through the provision of physical and psychological rehabilitation and material support (assistance mandate);
- (ii) design and implementation of Court-ordered reparations to victims, in accordance with TFV implementation plans approved by the Court (reparations mandate).

(b) *Goal 2*

Public and private donors, as well as fines and forfeitures, provide the TFV with sufficient resources to operate its assistance and reparations programmes in situations before the Court

Expected results:

- (i) level and predictability of voluntary contributions by States Parties;
- (ii) volume of private donations from mainly institutional donors;
- (iii) earmarked contributions for victims of SGBV and mental harm, and reparations.

(c) *Goal 3*

The TFV is a powerful advocate of the rights of victims and their families in the global justice system and humanitarian sector through the provision of reparations ordered by the Court and assistance initiatives; and

Expected results:

- (i) effective communications ensure TFV-specific advocacy for victims, increased TFV institutional visibility (including in relation to fundraising) and clarity about TFV mission, mandates and results.

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<sup>5</sup> RTFV 56.

*(d) Goal 4*

The TFV, acting in a collaborative partnership with the Court, ensures good governance, accountability, and transparency throughout its activities while responding to the requirements of its mandates. States Parties ensure sufficient resources for the TFV Secretariat to fulfil its mandates.

*Expected results:*

- (i) good governance, accountability and transparency are ensured through restructured TFV Secretariat and effective collaboration with the ICC Registry;
- (ii) sufficient resources in MP VI budget to sustain the core functionality of the TFV, including in the field, to respond to the exigencies of its mandates.

741. At the Annual Meeting of the TFV Board of Directors (17-19 March 2015), the Board adopted the TFV Budget Assumptions for 2016 (see Annex 1) in relation to Major Programme VI of the Court's regular budget. The TFV budget assumptions were developed within the framework of the TFV Strategic Plan, including the budget drivers contained therein, and read as follows in summary:

- (a) Continuation of assistance mandate programmes in northern Uganda and in the Democratic Republic of the Congo (DRC); new assistance mandate programmes in maximum three additional situation countries;
- (b) Continued development and implementation of reparations awards in the *Lubanga* and *Katanga* cases, both situated in the Ituri region in eastern DRC; and continued legal advice in these cases as well as in the *Bemba* case;
- (c) Continued and increased recourse to external expertise through consultancies and contractual services in order to complement the TFV's in-house capacity to deliver on both mandates;
- (d) Continued investment in attracting private institutional donors to the TFV in selected markets;
- (e) Continued and increased reliance on the TFV's "other resources" originating from voluntary contributions to outsource activities directly related to the TFV programmes, thus continuing to achieve a significant alleviation of the cost of Major Programme VI in the Court's regular budget;
- (f) Strengthen decentralisation of the TFV's programme management in view of ensuring the efficiency, effectiveness and financial reliability of working through locally based implementing partners in the implementation of the Fund's mandates; and
- (g) Continued reliance on the Registry's support structure, both in Headquarters and in the field offices.

742. The TFV further notes that Board of Directors has decided, in its Annual Meeting in March 2015, to outsource activities related to the conduct of situational assessments under assistance mandate, capacity building of TFV implementing partners and the design and implementation of a management information system (MIS), which will be funded from resources originating from voluntary contributions (total €900.0 thousand), therefore from outside the Major Programme VI budget.

743. In January 2015, the TFV Board of Directors submitted a request to the Registrar to include the TFV in the *ReVision* process. The Board felt that it was opportune to review the TFV's Secretariat structure, in order to be better positioned to implement the TFV strategic Plan 2014-2017 (adopted in August 2014), and in anticipation of future demands on the TFV including the implementation of Court-ordered reparations and other developments in both the TFV's mandates. Moreover, the Board felt that given the close administrative relationship between the ICC Registry and the TFV Secretariat, a review of the TFV Secretariat structure should take advantage of the broader restructuring within the Registry, so to align the TFV administratively and with a stronger emphasis on synergies, decentralisation, accountability, managing risk, strengthening field presence and out-

sourcing technical support, as needed. The Registrar responded positively to the Board's request, agreeing to the understanding that the TFV Board would have final approval on recommendations and indicating his full support to the Board in overseeing the implementation of changes.

744. In August 2015, the Board of Directors decided on the redesign of the Secretariat, to be implemented as of the budget year 2016. In this decision, the Board took into account the findings and recommendations of the *ReVision* of the TFV report (July 2015) on the restructuring of the TFV Secretariat, the observations of the Secretariat. Moreover, the experience and insight evolving from the development of the TFV's first draft implementation plan for reparations in the *Lubanga* case, which the Board assessed during an extraordinary meeting in The Hague in July 2015, fortified the Board in its conviction that the follow through on this plan would require strengthening of the Secretariat in two critical areas: financial-administrative capacity in The Hague and on-site programme management.

745. Accordingly, the new structure aims to strengthen both the TFV's field based programme management capacity, as well as, the TFV's based capacity for financial and administrative control, fundraising and advocacy – both in The Hague and in the field offices. The new Secretariat structure allows for more flexibility in responding to events and strategic challenges, as well as streamlines internal roles, responsibilities and authorities.

746. Corresponding to the restructuring and further to recommendations of both the internal and external auditors in their respective reports of July 2015, the TFV Board and the ICC Registrar have agreed in the TFV Board meeting held in July 2015 in The Hague to clarify and develop a more comprehensive arrangement for the administrative delegation of authority by the Registrar to the TFV Secretariat.

747. As a result of the above, the corrigendum of the budget proposal for Major Programme VI presents the new structure of the TFV Secretariat.

**Budget resources ..... €2,423.6 thousand**

748. The requested amount has increased by €607.9 thousand (33.5 per cent).

749. The approved 2015 budget contained positions budgeted only for part of the year. Therefore this would automatically create an increase under staff costs in the 2016 budget in which all these positions are budgeted full-time. This increase is €128,590. Comparing the staffing cost of the existing and new Secretariat structures, against full-time positions and in 2016 budget figures, shows an increase of €99.5 thousand. However, when applying reductions in non-staff costs in the September budget corrigendum to mitigate the staffing costs increase, the resulting savings is €230.0 thousand. The overall budget increase of the September corrigendum in comparison with the May draft is reduced by €69.5 thousand.

750. The above data should mitigate the possible perception of an unexpected and arbitrary increase in the TFV budget. The total increase compared to the approved 2015 budget is €607.9 thousand. A sizeable part of this increase has been offset by the automatic increase signalled above. The remainder results from the TFV's anticipation of its capacity and resource requirements, in regard of the future challenges contained in its mandates, as related *infra* in paragraphs 10 and 11.

**Staff resources ..... €1,692.5 thousand**

751. There are 14 established posts and four GTA (4.0 FTE) positions.

*Established posts: Professional and General Service..... €1,583.2 thousand*

752. TFV is managed by one Executive Director (D-1).

753. One Executive Assistant (GS-OL). Continued. The post is responsible for (i) administrative support to the Executive Director, Legal Adviser, Finance Officer and the

Fundraising & Visibility Officer; and to the Board of Directors (as needed) and (ii) a substantive role in supporting the TFV's communications activities, with a focus of developing communications content in support of awareness raising and fundraising and for the TFV website.

754. One Legal Adviser (P-4). Continued. This post provides the Fund's Board and Secretariat with expert legal advice regarding the development and implementation of the Fund's assistance and reparations mandates. This includes, but is not limited to, the preparation of legal filings with the Court, external representation of the Fund, and advice on the legal dimension of implementing Court-ordered reparations awards. This post has been revised to accommodate (i) a greater integration of tasks and responsibilities of the Legal Adviser with the TFV's programmatic work, (ii) a more substantive role for the Legal Adviser in the engagement and management of service providers, including TFV implementing partners, contractors and consultants; as well as donor agreements with both public and private donors; and (iii) the assumption of the role of functional deputy to the Executive Director, resulting from the abolishment of the P-5 Senior Programme Officer (SPO) post.

755. Three Programme Managers (P-4) based in the Kampala (Uganda), Bunia (DRC) and Abidjan (Cote d'Ivoire) Field Offices. Continued. These posts are classified to reflect the greater responsibilities for the design and management oversight of the TFV programmes under both mandates, due to the abolishment of the SPO post and the devolvement of programme-related decision making to the programme managers, who will be directly accountable to the Executive Director. Strengthening of situational programme management is to ensure on-site quality control (monitoring of results, adhesion by partners to TFV assistance mandate, programmatic cohesion amongst implementing partners (approaches, results), monitoring of financial and administrative practices and responsiveness to risks as identified in the TFV Risk Management Framework: situational (e.g., security, partner selection) and context (partner performance, community response to projects & reparations awards, outreach to & TFV reputation management with local stakeholders), and preparing for reparations programmes. Strengthening of situational programme management allows locally-based TFV programme management staff to act decisively and in an informed manner in the oversight of TFV programme implementation; and to be held accountable to the TFV leadership for the quality of service delivery on behalf of the TFV, including project management and the monitoring and achievement of project results and programmatic outcomes.

756. One Fundraising and Visibility Officer (P-3). Continued. Awareness raising and fundraising go hand in hand to create a stronger political and financial foundation for realising the TFV's mandates, mission and goals. The strategic diversification of the TFV's revenue base, to include private donors next to a growing number of States Party donors, needs to build on the availability of in-house expertise. Both awareness raising and resource development are interrelated core functions of the TFV and require dedicated capacity in external relations management. The recruitment process for this post has been aligned with the restructuring of the TFV and is foreseen to result in mobilisation by January 2016.

757. One Financial Officer (P-3), 12 months. New. This position will provide strengthened financial oversight, reporting, control and compliance within the TFV and in relation to implementing partners, including the management and further development of the TFV's SAP Grants Management system.

758. Two Associate Programme Officers (APOs) (P-2) based in Bunia. Continued. Both APO and Field Programme Assistant (FPA, see para 24 below) posts are supporting the Programme Managers. The proposed review and classification of the APO posts in Bunia was endorsed by *ReVision* and in the internal auditor report. The status and classification of the non-DRC based FPA posts may in due time be reviewed as TFV programmes are developing, e.g., with the introduction of eventual reparations programmes.

759. One Programme Monitoring and Evaluation (PME) Officer (P-3). Continued. Formerly the M&E Officer post reporting to the Senior Programme Officer. The PME Officer will play a more central role in programme coordination, reporting to the Executive Director, supervising all of the programme monitoring, evaluation and reporting; as well as,

coordinating the technical and administrative support and processes to the TFV programmes, taking over the role from the abolished SPO post.

760. One Programme Officer (P-2). New. Reflecting the past development and current level of administrative capacity required at the Secretariat, this post will support Programme Managers in the administration of TFV programmes, under the supervision of the PME Officer and with a functional reporting line to the Finance Officer.

761. One Programme Assistant (GS-OL). Continued.

762. One Administrative Assistant (GS-OL). Continued.

*General temporary assistance..... €09.3 thousand*

763. The requested amount has decreased by €14.6 thousand (79.1 per cent), as a result of the reduction on the number of GTA positions from ten to four following the outcome of the ReVision.

764. Four *Field Programme Assistants (FPAs)* based in Kampala, Bangui, Nairobi and Abidjan, (GS-OL), 12 months each. Continued. These positions are to provide assistance to RPO Uganda/Kenya and support implementing partners in Uganda under the assistance mandate, to guide and support implementing partners in CAR under the assistance mandate, to guide and support activities in Kenya under the assistance mandate and to guide and support implementing partners in CIV under the assistance mandate.

#### **Non-staff resources €731.1 thousand**

765. The requested amount has increased by €79.5 thousand (32.5 per cent). Non-staff resources are required for travel, hospitality, contractual services, training, consultants, general operating expenses, supplies and materials and furniture and equipment.

*Travel..... €305.2 thousand*

766. The requested amount has increased by €1.8 thousand (43.0 per cent) and will be required mainly in relation to the Trust Fund's programme activities (assistance and reparations mandates), visibility / fundraising and Board related initiatives. The increase is largely due to activities related to the Trust Fund's reparations mandate.

767. The requested amount will cover TFV Board of Directors (meetings; field trips), meetings with donors and other external TFV stakeholders (Board members, Executive Director, other staff as needed), visibility and fundraising, Design and implementation of reparations programmes, Programme monitoring visits and engagement with implementing partners, authorities and other programme related stakeholders and TFV annual staff meeting.

*Hospitality..... €3.0 thousand*

768. The requested amount has increased by €0.5 thousand (20.0 per cent) and is required for engagement with third parties in the context of the Fund's external relations management.

*Contractual services..... €155.0 thousand*

769. The requested amount has increased by €9.0 thousand (6.1 per cent). Contractual services will be needed for the External Auditor fee (€5.0 thousand), TFV Board meeting costs (€35.0 thousand), SAP GM support, including business support services (€45.0 thousand) (six months; transition and hand-over to Finance Officer post), external translation English-French (€10.0 thousand), car rentals (€20.0 thousand) and external printing (€40.0 thousand).

*Training*..... €29.9 thousand

770. The requested amount has increased by €8.3 thousand (38.3 per cent). Training needs for The Hague include administrative training for executive assistant, programme officer and administration assistant and topical training for the Legal Adviser and Fundraising and Visibility officer. Situation related training needs include various job related trainings for field assistants.

*Consultants*..... €205.0 thousand

771. The requested amount has increased by €60.0 thousand (41.4 per cent), as a result of anticipated need for consultants on the implementation of reparations awards and for private fundraising. The consultants are required to expert advice on reparations (€75.0 thousand), programme report/proposal writing & editing (€50.0 thousand) and visibility and communications related to private and public fundraising (€80.0 thousand).

*General operating expenses*..... €20.0 thousand

772. The requested amount remains unchanged and is requested for rental facilities for meetings and workshops in Uganda, DRC, CAR, Kenya and CIV and communication materials and mailing costs.

*Supplies and materials* ..... €3.0 thousand

773. The requested amount remains unchanged and is required for basic office supplies and other expendable office materials.

*Furniture and equipment*..... €10.0 thousand

774. The requested amount is required to cover the purchase of equipment and furniture needs in the field offices in UGA, DRC, CAR, Kenya and CIV.

**Table 102: Major Programme VI: Proposed budget for 2016**

6100 Secretariat of the Trust Fund for Victims	Expenditure 2014 (thousands of euro)				Approved Budget 2015 (thousands of euro)			Proposed Budget 2016 (thousands of euro)			Resource growth 2016 vs 2015		
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff	261.9	475.1	737.0		737.0	170.6	437.6	608.2	519.9	868.1	1,388.0	779.8	128.2
General Service staff						66.0	66.0	132.0	65.0	130.1	195.1	63.1	47.8
<i>Subtotal staff</i>	<i>261.9</i>	<i>475.1</i>	<i>737.0</i>		<i>737.0</i>	<i>236.6</i>	<i>503.6</i>	<i>740.2</i>	<i>585.0</i>	<i>998.2</i>	<i>1,583.2</i>	<i>843.0</i>	<i>113.9</i>
General temporary assistance	177.6	85.8	263.4		263.4	228.0	295.9	523.9		109.3	109.3	-414.6	-79.1
Temporary assistance for meetings													
Overtime													
<i>Subtotal other staff</i>	<i>177.6</i>	<i>85.8</i>	<i>263.4</i>		<i>263.4</i>	<i>228.0</i>	<i>295.9</i>	<i>523.9</i>		<i>109.3</i>	<i>109.3</i>	<i>-414.6</i>	<i>-79.1</i>
Travel	101.3	49.5	150.8		150.8	67.3	146.1	213.4	110.5	194.7	305.2	91.8	43.0
Hospitality	1.6		1.6		1.6	2.5		2.5	3.0		3.0	0.5	20.0
Contractual services	112.0	68.4	180.4		180.4	90.5	55.5	146.0	110.0	45.0	155.0	9.0	6.1
Training	6.3	8.8	15.1		15.1	1.5	20.1	21.6	10.4	19.5	29.9	8.3	38.3
Consultants	6.8	70.2	77.0		77.0	45.0	100.0	145.0	80.0	125.0	205.0	60.0	41.4
General operating expenses						5.0	15.0	20.0	5.0	15.0	20.0		-0.2
Supplies and materials	0.4		0.4		0.4	3.0		3.0	3.0		3.0		
Furniture and equipment										10.0	10.0	10.0	
<i>Subtotal non-staff</i>	<i>228.4</i>	<i>196.9</i>	<i>425.3</i>		<i>425.3</i>	<i>214.8</i>	<i>336.8</i>	<i>551.6</i>	<i>321.9</i>	<i>409.2</i>	<i>731.1</i>	<i>179.5</i>	<i>32.5</i>
<b>Total</b>	<b>667.9</b>	<b>757.8</b>	<b>1,425.7</b>		<b>1,425.7</b>	<b>679.4</b>	<b>1,136.3</b>	<b>1,815.7</b>	<b>906.9</b>	<b>1,516.7</b>	<b>2,423.6</b>	<b>607.9</b>	<b>33.5</b>

**Table 103: Major Programme VI: Proposed staffing for 2016**

Secretariat of the Trust Fund for Victims		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- staff and above	GS- PL	GS- OL	Total GS- staff	Total staff
Existing	Basic				1		1	2			4		1	1	5
	Situation related						3	1	3		7		2	2	9
	<i>Subtotal</i>				<i>1</i>		<i>4</i>	<i>3</i>	<i>3</i>		<i>11</i>		<i>3</i>	<i>3</i>	<i>14</i>
New	Basic														
	Situation related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation related														
	<i>Subtotal</i>														
<b>Total</b>				<b>1</b>		<b>4</b>	<b>3</b>	<b>3</b>			<b>11</b>		<b>3</b>	<b>3</b>	<b>14</b>