


Seventeenth session

The Hague, 5-12 December 2018

**Financial statements of the Trust Fund for Victims
 for the year ended 31 December 2017**
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Letter of transmittal

12 June 2018

In accordance with financial regulation 11.1 the Registrar shall submit to the Auditor accounts for the financial period. I have the honour of submitting the financial statements of the Trust Fund for Victims for the financial period 1 January to 31 December 2017.

Peter Lewis
Registrar

Michel Camoin
External Audit Director
Cour des Comptes,
13 rue Cambon,
75100 Paris Cedex 01
France

Letter to the Registrar

12 June 2018

Dear Mr Registrar,

Pursuant to regulation 77(b) of the Regulations of the Trust Fund for Victims, the Board of Directors must submit the accounts and the financial statements of the Trust Fund for Victims for review by the External Auditor.

I would be grateful if you would sign the Letter of Transmittal to the External Auditor.

Respectfully yours

Motoo Noguchi
Chair, Board of Directors of the Trust Fund for Victims

Certification of Financial Statements

12 June 2018

The financial statements and supporting notes are approved.

Motoo Noguchi
Chair, Board of Directors of the Trust Fund for Victims

Independent auditor's opinion

Opinion

1. We have audited the Financial Statements of the Trust Fund for Victims (TFV), for the 12 month period ended 31 December 2017. These Financial Statements include a Statement of Financial Position as at 31 December 2017, a Statement of Financial Performance, a Statement of Changes in Net Assets, a Statement of Cash Flows, a Statement of Comparison of Budget and Actual Amounts and notes, including a summary of the accounting principles and other information.

2. Based on our audit, the financial statements give a fair view of the financial position of the Trust Fund for Victims as at 31 December 2017, as well as the financial performance, the changes in net assets, the cash flow and the comparison of budget and actual amounts for the 12 months period ending 31 December 2017 in conformity with the International Public Sector Accounting Standards (IPSAS).

Basis for Opinion

3. We have conducted our audit in accordance with the International Standards on Auditing (ISA). These Standards require us to comply with the ethical rules and to plan and perform our audit in order to obtain a reasonable assurance that the financial statements are free from material misstatements. As required by the Charter of Ethics of the *Cour des comptes*, we guarantee the independence, the fairness, the neutrality, the integrity and the professional discretion of the auditors. Furthermore, we also fulfilled our other ethical obligations in compliance with the Code of Ethics of the International Organization of Supreme Audit Institutions (INTOSAI). The responsibilities of the auditor are more extensively described in the section "Auditor's Responsibilities for the Audit of the Financial Statements".

4. We believe that the audit evidence collected is sufficient and appropriate to constitute a reasonable basis for our opinion.

Management's Responsibilities for the Financial Statements

5. By virtue of Part IV, paragraph 77 of the Regulations of the Trust Fund for Victims, the Board of Directors is responsible for preparing and presenting the financial statements. These statements are in conformity with the IPSAS. This responsibility includes the design, implementation and monitoring of internal control procedures to ensure the preparation and the fair presentation of financial statements, free of significant misstatements, resulting either from frauds or errors. This responsibility also includes the determination of fair accounting estimates adapted to the circumstances.

Auditor's Responsibilities for the Audit of the Financial Statements

6. The goal of the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

7. An audit therefore consists in implementing audit procedures in order to collect audit evidence regarding the amounts and the information presented in the financial statements. The External Auditor takes into account the internal control in effect in the entity, relative to the establishment and preparation of financial statements, so as to define appropriate audit procedures in the circumstances, and not with the aim of expressing an opinion on the effectiveness of this control. The choice of the audit procedures is based on the External Auditor's professional judgment, as is the case for the risk evaluation of the financial statements, for the assessment of the appropriateness of the accounting policies and of the accounting estimates, and for the overall presentation of the financial statements.

(Signed)
Didier Migaud

Statement I

Trust Fund for Victims - Statement of financial position as at 31 December 2017 (in thousands of euros)

	<i>Note</i>	<i>2017</i>	<i>2016</i>
Assets			
<i>Current assets</i>			
Cash and cash equivalents	3	14,650	12,640
Prepayments	4	156	561
Receivables	5	528	76
<i>Total current assets</i>		<i>15,334</i>	<i>13,277</i>
<i>Non-current assets</i>			
Receivables	5	505	586
<i>Total non-current assets</i>		<i>505</i>	<i>586</i>
Total assets		15,839	13,863
Liabilities			
<i>Current liabilities</i>			
Provisions	6	473	364
Deferred revenue and accrued expenses	7	204	-
<i>Total current liabilities</i>		<i>677</i>	<i>364</i>
<i>Non-current liabilities</i>			
Provisions	6	1,302	-
<i>Total non-current liabilities</i>		<i>1,302</i>	<i>-</i>
Total liabilities		1,979	364
Net assets/equity	8	13,860	13,499
Total liabilities and net assets/equity		15,839	13,863

The accompanying notes form an integral part of these financial statements

Statement II

Trust Fund for Victims - Statement of financial performance for the year ended 31 December 2017 (in thousands of euros)

	<i>Note</i>	<i>2017</i>	<i>2016</i>
Revenue			
Assessed contributions	9	2,174	1,885
Voluntary contributions	9	2,878	1,727
Financial revenue	9	6	20
Total revenue		5,058	3,632
Expenses			
Administrative expenses	10	1,435	1,677
Programme expenses	10	3,213	2,224
Total expenses		4,648	3,901
Surplus/(deficit) for the period		410	(269)

The accompanying notes form an integral part of these financial statements.

Statement III

Trust Fund for Victims - Statement of changes in net assets/equity for the year ended 31 December 2017 (in thousands of euros)

	<i>Assistance Programme</i>	<i>Reparations Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total Net assets/equity</i>
Opening balance as at 1 January 2016	8,919	4,800	203	13,922
Movement in net assets/equity in 2016				
Surplus/(deficit)	(491)	-	222	(269)
Credits to States Parties/donors	-	-	(154)	(154)
Transfer to reserve	(200)	200	-	-
<i>Total movements during the year</i>	<i>(691)</i>	<i>200</i>	<i>68</i>	<i>(423)</i>
Total net assets/equity as at 31 December 2016	8,228	5,000	271	13,499
Movement in net assets/equity in 2017				
Surplus/(deficit)	1,354	(1,703)	759	410
Credits to States Parties/donors	-	-	(49)	(49)
Transfer to reserve	(500)	500	-	-
<i>Total movements during the year</i>	<i>854</i>	<i>(1,203)</i>	<i>710</i>	<i>361</i>
Total net assets/equity as at 31 December 2017	9,082	3,797	981	13,860

The accompanying notes form an integral part of these financial statements.

Statement IV

Trust Fund for Victims - Statement of cash flows for the year ended 31 December 2017 (in thousands of euros)

	2017	2016
Cash flows from operating activities		
Surplus/(deficit) for the period (Statement II)	410	(269)
Unrealized foreign exchange differences	2	1
(Increase)/decrease in time deposits	-	-
(Increase)/decrease in receivables	(371)	(412)
(Increase)/decrease in prepayments	405	(75)
Increase/(decrease) in accounts payable	-	-
Increase/(decrease) in deferred revenue and accrued expenses	204	-
Increase/(decrease) in provisions	1,411	364
Less: interest income	(6)	(20)
<i>Net cash flows from operating activities</i>	<i>2,055</i>	<i>(411)</i>
Cash flows from investing activities		
Plus: interest received	6	20
<i>Net cash flows from investing activities</i>	<i>6</i>	<i>20</i>
Cash flows from financing activities		
Credits to States Parties	(49)	(154)
<i>Net cash flows from financing activities</i>	<i>(49)</i>	<i>(154)</i>
Net increase/(decrease) in cash and cash equivalents	2,012	(545)
Unrealized foreign exchange gains/losses on cash and cash equivalents	(2)	(1)
Cash and cash equivalents at beginning of financial period	12,640	13,186
Cash and cash equivalents at 31 December (Statement I)	14,650	12,640

The accompanying notes form an integral part of these financial statements.

Statement V

Trust Fund for Victims - Statement of comparison of budget and actual amounts for the year ended 31 December 2017 (in thousands of euros)

<i>Object of expenditure*</i>	<i>Appropriation approved</i>	<i>Total expenditure</i>	<i>Total surplus</i>
Staff costs	1,014	746	268
General temporary assistance	479	383	96
<i>Sub-total staff costs</i>	<i>1,493</i>	<i>1,129</i>	<i>364</i>
Travel	300	235	65
Hospitality	3	1	2
Contractual services	310	335	(25)
Training	35	3	32
General operating expenses	20	1	19
Supplies and materials	3	-	3
Furniture & Equipment	10	-	10
<i>Sub-total non-staff costs</i>	<i>681</i>	<i>575</i>	<i>106</i>
Total	2,174	1,704	470

*The budget for the Secretariat is approved as Major Programme VI of the Court's budget.
The accompanying notes form an integral part of these financial statements.

Notes to the financial statements

1. The Trust Fund for Victims and its objectives

1.1 Reporting entity:

The Trust Fund for Victims (“the Trust Fund”) was established by the Assembly of States Parties (“the Assembly”) in its resolution ICC-ASP/1/Res.6, for the benefit of victims of crimes within the jurisdiction of the International Criminal Court (“the Court”), and the families of such victims. Its primary goal is to support victims and their families to overcome harm, lead a dignified life and contribute towards reconciliation and peacebuilding within their communities.

In the annex to that resolution, the Assembly established a Board of Directors (“the Board”), which is responsible for management of the Trust Fund.

The Secretariat of the Trust Fund (“the Secretariat”) administers the Trust Fund, offers administrative support to the Board and its meetings and operates under the full authority of the Board. For administrative purposes, the Secretariat and staff are attached to the Registry of the Court and are part of the staff of the Registry and, as such, of the Court, and enjoy the same rights, duties, privileges, immunities and benefits.

By resolution ICC-ASP/4/Res.3, the Assembly adopted the Regulations of the Trust Fund for Victims, which state that the Trust Fund is a separate reporting entity. The Trust Fund and the Secretariat are controlled by the Board and are considered to be a single economic entity for financial reporting purposes. The Trust Fund and the Secretariat are referred to together as the Trust Fund.

2. Summary of significant accounting and financial reporting policies

Basis of preparation

2.1 The financial statements of the Trust Fund are maintained in accordance with the Financial Regulations and Rules of the Court, as established by the Assembly in the annex to resolution ICC-ASP/1/Res.6. The financial statements of the Trust Fund have been prepared on the accrual basis of accounting, in compliance with the International Public Sector Accounting Standards (IPSAS). These notes form an integral part of the Trust Fund’s financial statements.

2.2 *Financial period:* the financial period is one calendar year.

2.3 *Historical cost basis:* the financial statements are prepared on the historical cost basis of accounting.

Currency of accounts and treatment of exchange rate movements

2.4 The Trust Fund’s functional and presentation currency is the euro.

2.5 Foreign currency transactions are translated into the functional currency using the United Nations operational rates of exchange which approximate the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end of exchange rates of monetary assets and liabilities denominated in foreign currencies are recognized in the Statement of financial performance.

2.6 Non-monetary assets and items that are measured in terms of historical cost in foreign currency are translated using the exchange rate at the date of the transaction and are not retranslated at the reporting date.

Use of estimates and judgements

2.7 The preparation of the financial statements in conformity with IPSAS requires management to make judgements, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, revenue and expenses. The estimates and associated assumptions are based on past experience and various other factors that are believed to be reasonable under the circumstances, and information available at the date of preparation of the financial statements, the results of which form the basis of judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

2.8 The estimates and underlying assumptions are reviewed on an on-going basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised and any future periods affected.

2.9 The judgements made by management in the application of IPSAS that have a significant effect on the financial statements and estimates with a significant risk of material adjustment in the next year are as follows:

(a) The Trust Fund recognizes revenue from voluntary contributions upon receipt or upon signature of a binding agreement, where applicable. While agreements generally include restrictions on the use of funds, they do not include any measurable performance conditions which would require revenue to be deferred until conditions are satisfied; and

(b) The Trust Fund advances funds to implementing partners on the basis of contractual provisions. The status of funds advanced is disclosed in Schedule 1.

Cash and cash equivalents

2.10 Cash and cash equivalents are held at nominal value and comprise cash on hand, funds held in current accounts, interest-bearing bank accounts and time deposits with a maturity of less than three months.

Financial instruments

2.11 The Trust Fund classifies its financial instruments as loans and receivables and other financial liabilities. Financial assets consist mainly of short-term bank deposits and accounts receivable. Financial liabilities consist of accounts payable.

2.12 All financial instruments are initially recognized in the Statement of financial position at their fair values plus transaction costs. Subsequently, they are measured at amortized cost using the effective interest method. The historical cost-carrying amount of receivables and payables subject to normal trade credit terms approximates the fair value of the transaction.

Financial Risks

2.13 The Trust Fund has instituted prudent risk management policies and procedures in accordance with the Court's Financial Regulations and Rules. The Trust Fund makes short-term investments of moneys not needed for immediate requirements. In the normal course of business, the Trust Fund is exposed to financial risk, such as market risk (foreign currency exchange and interest rate), credit risk and liquidity risk.

2.14 *Currency risk*: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The Trust Fund is exposed to currency risk through transactions in foreign currencies relating to the projects it funds.

2.15 *Interest rate risk*: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Trust Fund deposits its funds only in short-term fixed interest accounts, and therefore has no significant interest rate risk exposure.

2.16 *Credit risk*: the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Trust Fund is exposed to credit risk through advances of funds to project implementing partners and deposits at banks. The Trust Fund has policies that limit exposure to risk from any one financial institution.

2.17 *Liquidity risk*: this risk arises from the general funding of the Trust Fund's activities. The operations of the Secretariat are funded from assessed contributions through the Court. Grants to implementing partners are made on the basis of voluntary contributions received.

Receivables

2.18 Receivables and advances are recognized initially at nominal value. Allowances for estimated irrecoverable amounts are recognized for receivables and advances when there is objective evidence that the asset is impaired, the impairment losses being recognized in the statement of financial performance.

2.19 *Receivables from the Court* are recognized for the amount assessed for funding the activities of the Secretariat, net of expenses incurred against these assessments. In its resolution ICC-ASP/3/Res. 7, the Assembly decided that, pending further evaluation by the Assembly, the Secretariat would be funded by the regular budget. The Board submits a proposed budget for the Secretariat which is presented as a separate Major Programme VI in the Court's budget and is adopted by the Assembly. The Court assesses States Parties for the budget of the Secretariat. In substance, the Court collects assessed contributions as an agent of the Trust Fund and these assessments do not give rise to an increase in net assets or revenue of the Court, but are recognized as a receivable and revenue of the Trust Fund. The receivables are reduced as expenses are incurred by the Secretariat. Liabilities to vendors and the staff of the Secretariat are settled directly by the Court. The receivables are finally settled when the Court credits any cash surplus pertaining to Major Programme VI, in accordance with the Financial Regulations and Rules of the Court, to the States Parties.

Other current assets

2.20 Other current assets comprise interest accrued on bank accounts and deposits.

Accounts payable

2.21 Accounts payable are recognized initially at nominal value, which best estimates the amount required to settle the obligation at the reporting date.

Deferred revenue and accrued expenses

2.22 Deferred revenue includes pledged contributions with conditions and other revenue received but not yet earned.

2.23 Accrued expenses are recognized in respect of goods and services delivered during the reporting period for which invoices have not been received.

Related party disclosures

2.24 The Trust Fund will disclose related parties that have the ability to exercise control or significant influence over the Trust Fund by making financial and operational decisions, or will disclose if a related party and the Trust Fund are subject to common control. Transactions that are within a normal supplier or client/recipient relationship on terms and conditions not more or less favourable than those done at arm's length in the same circumstances between the Trust Fund and its related parties will not be considered as related party transactions and therefore will not be disclosed.

2.25 The key management personnel of the Trust Fund are the Board of Directors and the Executive Director, both of whom have authority and responsibility for planning, directing and controlling the activities of the Trust Fund and influencing its strategic direction. The remuneration and benefits of key management personnel are disclosed. In addition, the

Trust Fund will disclose any specific transactions with key management personnel and their family members.

Provisions and contingent liabilities

2.26 *Provisions* are recognized when the Trust Fund has a present legal or constructive obligation as a result of past events, it is more likely than not that an outflow of resources will be required to settle that obligation, and the amount can be reliably estimated. The amount of the provision is the best estimate of the expenditure required to settle the present obligation at the reporting date. The estimate is discounted where the effect of the time value of money is material. Provisions are released only for such expenses in respect of which provisions are recognized at inception. If the outflow of economic benefits to settle the obligations is no longer probable, the provision is reversed.

2.27 *Contingent liability* is a possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Trust Fund, or a present obligation which will probably not result in an outflow of economic resources/service potential or the amount of which cannot be measured with sufficient reliability. Contingent liabilities, if any, are disclosed in the notes to the financial statements.

Commitments

2.28 *Commitments* are non-cancellable obligations to provide funds in the future to organizations that are implementing projects based on a contract entered into with the Trust Fund. Commitments are recognized off-balance sheet and are disclosed in the financial statements until such time as funds are advanced or the implementing partner submits financial reports demonstrating that activities, for which the organization is entitled to receive funds, have been performed.

Non-exchange revenue

2.29 *Voluntary contributions*: revenue from voluntary contributions that include restrictions on their use is recognized upon signature of a binding agreement between the Trust Fund and the donor providing the contribution. Revenue from voluntary contributions that attach conditions to their use, including an obligation to return the funds to the contributing entity if such conditions are not met, is recognized as the conditions are satisfied. Until such conditions are met, the obligation is recognized as a liability. Voluntary contributions and other revenues which are not provided for by binding agreements are recognized as revenue when received.

2.30 *Goods-in-kind contributions* are recognized at their fair value and the corresponding revenue is recognized immediately if no condition is attached. If conditions are attached, a liability is recognized until such time as the conditions are met and the obligation is satisfied. Revenue is recognized at fair value, measured as of the date of acquisition of the donated assets.

2.31 *Services-in-kind*: revenue resulting from services-in-kind is not recognized. Major services-in-kind are disclosed in the financial statements, including their fair value, when it is practicable to determine it.

Exchange revenue

2.32 *Financial revenue* comprises interest revenue and net foreign exchange gains. Interest revenue is recognized in the Statement of financial performance as it accrues, taking into account the effective yield on the asset. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if positive, is recognized as revenue.

Expenses

2.33 *Financial expenses* comprise bank charges and net foreign exchange loss. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if negative, is recognized as an expense.

2.34 *Expenses arising from the purchase of goods and services* are recognized at the point that the supplier has performed its contractual obligations, which is when the goods and services are received and accepted by the Trust Fund.

2.35 *Expenses arising from transactions with implementing partners* are recognized when goods are delivered or services rendered by implementing partners, as confirmed by the receipt of certified expense reports, financial reports or project delivery reports, as applicable. If funds are advanced on the basis of contracts that do not include measurable performance conditions, expenditure is recognized when funds are disbursed.

Fund accounting and segment reporting

2.36 A segment is a distinguishable activity or group of activities for which it is appropriate to separately report financial information. Segment information is based on principal activities and sources of financing of the Trust Fund. To achieve its aims, the Trust Fund implements reparations awards ordered by the Court against a convicted person and it provides assistance to victims and their families through programmes of physical and psychological rehabilitation and material support.

2.37 Separate financial information is reported for three segments: reparations programme, assistance programme and Secretariat of the Trust Fund.

2.38 *Fund accounting*: the Trust Fund's accounts are maintained on a fund accounting basis to allow for the separation of funds to facilitate the receipt of earmarked contributions, money and other property collected through fines or forfeiture transferred by the Court, where the Court has stipulated particular usages, or resources collected through awards for reparations.

Net assets/equity

2.39 Net assets/equity comprises surpluses or deficits in the fund. Reserves may be created on the basis of a decision of the Board.

Budget comparison

2.40 A comparison of actual amounts with the amounts in the original and final annual programme budget is presented in Statement V. This comparison is made on the same modified cash basis of accounting as adopted for the annual programme budget.

2.41 A reconciliation of the actual amounts on a modified cash basis with actual amounts presented in the financial statements is included in note 11, considering that the full accrual accounting and modified cash basis budget differ.

3. Cash and cash equivalents

<i>In thousands of euros</i>	2017	2016
Cash at bank – current account	2,823	816
Cash at bank – savings account	11,827	11,824
Total	14,650	12,640

3.1 Cash and cash equivalents contain restrictions on their availability for use depending upon the segment to which they relate (see note 11 for segment information). Cash and cash equivalents include amounts equivalent to €0 thousand (2016: €35 thousand) held in currencies other than the euro.

3.2 Interest-bearing bank accounts and term deposits yielded interest at an average annual rate of 0.05 per cent.

4. Prepayments

<i>In thousands of euros</i>	2017	2016
Advances to implementing partners	156	561
Total	156	561

5. Receivables

<i>In thousands of euros</i>	2017	2016
Voluntary contributions receivable	30	-
Refunds due from implementing partners	19	-
Secretariat's surplus for 2015	-	49
Secretariat's surplus for 2016	476	586
Secretariat's surplus for 2017	505	-
Other receivables from the Court	-	18
Accrued interest	3	9
Total	1,033	662

5.1 For detailed information on receivables from the Court, refer to note 2.19.

5.2 Voluntary contributions receivable represent an amount pledged in December 2017 and transferred to the Trust Fund in January 2018.

5.3 Refunds due from implementing partners represent an unspent balance of the advance paid for a reparations project in DRC to be repaid to the Trust Fund.

6. Provisions

<i>In thousands of euros</i>	2017	2016
Provision for termination benefits	-	364
Provision for Reparation awards	1,775	-
Total	1,775	364

Changes in Provisions

<i>In thousands of euros</i>	<i>Termination benefits provision</i>	<i>Provision for reparation awards</i>
Provision as at 1 January 2017	364	-
Decrease due to payments	(111)	-
Decrease due to reversals	(253)	-
Increase in provision	-	1,775
Provision as at 31 December 2017	-	1,775

6.1 Provision for reparation awards pertain to the complementary funding provided by the Trust Fund towards the payment of the reparations awards due to the indigence of the convicted persons. Pursuant to regulation 56 of the Regulations of the Trust Fund for Victims (ICC-ASP/4/Res.3) a decision to complement a reparations award is a

discretionary decision within the sole authority of the Board and is governed by the factors set out in the regulation, such as ensuring a complement does not prejudice its assistance mandate activities and taking particular account of ongoing legal proceedings that may give rise to other reparations awards that may require a complement.

6.2 In 2017 the Board of Directors of the Trust Fund made decisions to complement the reparation awards in the cases of *The Prosecutor v. Thomas Lubanga Dyilo* (ICC-01/04-01/06) in the amount of €1 million and *The Prosecutor v. Germain Katanga* (ICC-01/04-01/07) in the amount of US\$1 million.

7. Deferred revenue and accrued expenses

<i>In thousands of euros</i>	2017	2016
Deferred voluntary contributions	200	-
Accrued Expenses	4	-
Total	204	-

7.1 Deferred voluntary contributions revenue represents an earmarked contribution received in December 2017 for the delivery of targeted assistance to victims of sexual and gender-based violence in the countries of Sub-Saharan Africa. The activities funded under this contribution agreement will commence in 2018.

8. Net assets/equity

<i>In thousands of euros</i>	2017	2016
Reparations programme	3,797	5,000
Assistance programme	9,082	8,228
Secretariat of the Trust Fund	981	271
Total	13,860	13,499

9. Revenue

<i>In thousands of euros</i>	2017	2016
<i>Assessed contributions</i>	2,174	1,885
<i>Voluntary contributions</i>		
Earmarked contributions	383	57
Non-earmarked contributions	2,495	1,670
<i>Sub-total voluntary contributions</i>	2,878	1,727
<i>Financial revenue</i>		
Interest revenue	6	20
<i>Sub-total financial revenue</i>	6	20
Total	5,058	3,632

Contributions in kind

9.1 The Court provides various services free of charge to the Trust Fund, including office space, equipment and administrative services.

10. Expenses

<i>In thousands of euros</i>	2017	2016
Administrative expenses	1,435	1,677
Reparations expenses	1,903	-
Sexual and gender-based violence project expenses	158	1,262
Other Assistance project expenses	1,152	962
Total	4,648	3,901

10.1 In 2017 one ex-gratia payment for €10,072 was made.

11. Statement of comparison of budget and actual amounts

11.1 The Trust Fund's budget and accounts are prepared on different bases. The Statement of financial position, Statement of financial performance, Statement of changes in net assets/equity and Statement of cash flows are prepared on a full accrual basis, whereas the Statement of comparison of budget and actual amounts (Statement V) is prepared on a modified cash basis of accounting.

11.2 As required under IPSAS 24, where the financial statements and the budget are not prepared on a comparable basis, the actual amounts presented on a comparable basis to the budget are reconciled to the actual amounts presented in the financial statements, identifying separately any basis, timing and entity differences. There are also differences in formats and classification schemes adopted for the presentation of financial statements and the budget.

11.3 Differences in basis occur when the approved budget is prepared on a basis other than the accounting basis, as stated in paragraph 11.1 above.

11.4 Timing differences occur when the budget period differs from the reporting period reflected in the financial statements. There are no timing differences for the Trust Fund for the purposes of comparison of the budget and the actual amounts.

11.5 Entity differences occur when the budget omits programmes or entities that are part of the entity for which the financial statements are prepared. Entity differences include reparations and assistance funds that are reported in detail in the financial statements but are not included in the budgetary process.

11.6 Differences in presentation are due to differences in the format and classification schemes adopted for the presentation of the Statement of cash flows and Statement of comparison of budget and actual amounts.

11.7 Reconciliation between the actual amounts on a comparable basis in the Statement of comparison of budget and actual amounts (Statement V) and the actual amounts in the Statement of cash flows (Statement IV) for the period ended 31 December 2017 is presented below:

<i>In thousands of euros</i>	<i>Operating</i>	<i>Investing</i>	<i>Financing</i>	<i>Total</i>
Actual amount on comparable basis (Statement V)	470	-	-	470
Basis differences	1,355	-	-	1,355
Presentation differences	43	6	(49)	-
Entity differences	188	-	-	188
Actual amount in the Statement of cash flows (Statement IV)	2,055	6	(49)	2,012

11.8 Open commitments including open purchase orders versus accrued expenses and net cash flows from operating activities are presented as basis differences. The credits to States Parties that do not form part of the Statement of comparison of budget and actual amounts are reflected as presentation differences. Under entity differences, the activities funded from voluntary contributions that are reported in the financial statements are included, as these are not included in the budgetary process.

11.9 An explanation of material differences between the budget and actual amounts is included in the Report on Activities and Programme Performance of the International Criminal Court for the year 2017.

12. Segment Reporting

Statement of financial position by segment as at 31 December 2017

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	5,557	9,093	-	14,650
Prepayments	-	156	-	156
Receivables	19	33	476	528
<i>Total current assets</i>	<i>5,576</i>	<i>9,282</i>	<i>476</i>	<i>15,334</i>
<i>Non-current assets</i>				
Receivables	-	-	505	505
<i>Total non-current assets</i>	<i>-</i>	<i>-</i>	<i>505</i>	<i>505</i>
Total assets	5,576	9,282	981	15,839
Liabilities				
<i>Current liabilities</i>				
Provisions	473	-	-	473
Deferred revenue	4	200	-	204
<i>Total current liabilities</i>	<i>477</i>	<i>200</i>	<i>-</i>	<i>677</i>
<i>Non-current liabilities</i>				
Provision	1,302	-	-	1,302
<i>Total non-current liabilities</i>	<i>1,302</i>	<i>-</i>	<i>-</i>	<i>1,302</i>
Total liabilities	1,779	200	-	1,979
Net assets/equity	3,797	9,082	981	13,860
Total liabilities and net assets/equity	5,576	9,282	981	15,839

Statement of financial performance by segment for the year ended 31 December 2017

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Revenue				
Assessed contributions	-	-	2,174	2,174
Voluntary contributions	200	2,678	-	2,878
Financial revenue	-	6	-	6
Total revenue	200	2,684	2,174	5,058

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Expenses				
Administrative expenses	-	20	1,415	1,435
Sexual and gender-based violence project expenses	-	158	-	158
Other assistance project expenses	-	1,152	-	1,152
Reparations expenses	1,903	-	-	1,903
Total expenses	1,903	1,330	1,415	4,648
Surplus/(deficit) for the period	(1,703)	1,354	759	410

Statement of financial position by segment as at 31 December 2016

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	5,000	7,640	-	12,640
Prepayments	-	561	-	561
Receivables	-	27	49	76
<i>Total current assets</i>	<i>5,000</i>	<i>8,228</i>	<i>49</i>	<i>13,277</i>
<i>Non-current assets</i>				
Receivables	-	-	586	586
<i>Total non-current assets</i>	<i>-</i>	<i>-</i>	<i>586</i>	<i>586</i>
Total assets	5,000	8,228	635	13,863
Liabilities				
<i>Current liabilities</i>				
Provisions	-	-	364	364
<i>Total current liabilities</i>	<i>-</i>	<i>-</i>	<i>364</i>	<i>364</i>
Total liabilities	-	-	364	364
Net assets/equity	5,000	8,228	271	13,499
Total liabilities and net assets/equity	5,000	8,228	635	13,863

Statement of financial performance by segment for the year ended 31 December 2016

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Revenue				
Assessed contributions	-	-	1,885	1,885
Voluntary contributions	-	1,727	-	1,727
Financial revenue	-	20	-	20
Total revenue	-	1,747	1,885	3,632
Expenses				
Administrative expenses	-	14	1,663	1,677
Sexual and gender-based violence project expenses	-	1,262	-	1,262
Other assistance project expenses	-	962	-	962
Total expenses	-	2,238	1,663	3901
Surplus/(deficit) for the period	-	(491)	222	(269)

13. Commitments

13.1 At 31 December 2017, the Trust Fund had contractual commitments amounting to €87 thousand based on contracts concluded with implementing partners.

14. Related party disclosures

14.1 The expense recognized includes aggregate remuneration paid to key management personnel, including net salaries, post adjustment, entitlements, assignment and other grants, rental subsidy, employer contributions to the pension plan and current health insurance contributions. It also includes expense in respect of post-employment benefits and other long-term benefits.

14.2 The key management personnel of the Trust Fund are the Board of Directors and the Executive Director. The Board serves on a pro bono basis.

14.3 The expense recognized during the year and outstanding balances of receivables at year end are as follows:

<i>In thousands of euros</i>	<i>No. of individuals</i>	<i>Aggregate remuneration</i>	<i>Receivables</i>
Key management personnel	7	185	-

14.4 Key management personnel also qualify for post-employment benefits and other long-term benefits. At year end, accrued liabilities amounted to:

<i>In thousands of euros</i>	<i>Annual leave accrual</i>	<i>Other long-term benefits</i>	<i>Post-employment benefits</i>	<i>Total</i>
Key management personnel	29	1	95	125

14.5 The Court and the Trust Fund are related parties as they are subject to common control by the Assembly.

14.6 The receivable from the Court at year end amounted to €81 thousand. In 2017, the Assembly approved an appropriation of €2,174 thousand for the Secretariat which administers the Trust Fund and provides administrative support to the Board and its meetings. Expenditures on a modified cash basis for the Secretariat during the financial period, as disclosed in Statement V, are €1,704 thousand. The unspent amount of appropriations for the current and prior period is pending credit to States Parties.

14.7 The Court provides various services free of charge to the Trust Fund, including office space, equipment and administrative services.

15. Events after the reporting date

15.1 On the date of signing of these accounts, there were no material events, favourable or unfavourable, between the reporting date and the date on which the financial statements were authorized for issue that affected these statements.

Annex

Schedule 1

Status of projects as at 31 December 2017

Annual project / PO	Project currency	Budget	Outstanding advances at 1 January 2017	Advances Paid	Advances Justified	Outstanding advances at 31 December 2017 / refunds due	Budget spending (including prior years)
5100095 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	20,545	15,000	35,545	0	100,000
5100096 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	16,507	15,000	31,507	0	100,000
5100097 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	14,856	15,000	29,856	0	100,000
5100098 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	32,567	15,000	47,567	0	100,000
5100099 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	21,773	15,000	36,773	0	100,000
5100101 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	11,286	15,000	26,286	0	100,000
5100110 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	0	85,000	71,631	13,369	71,631
5100111 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	0	85,000	67,581	17,419	67,581
5100112 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	0	85,000	75,890	9,110	75,890
5100113 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	0	85,000	46,877	38,123	46,877
5100114 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	0	85,000	73,610	11,390	73,610
5100115 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda	EUR	100,000	0	85,000	71,720	13,280	71,720
5100093 - Provision of the capacity building, advocacy and medical rehabilitation for Northern Uganda victims of war	EUR	245,500	5,483	36,853	42,336	0	245,500
5100109 - Provision of the capacity building, advocacy and medical rehabilitation for Northern Uganda victims of war	EUR	258,870	129,435	129,435	220,040	38,830	220,040
5100106 - Identification et evaluation des prejuges psychologiques, physique et socioeconomique des jeunes ayant participe dans les groupes armes de 2002-2003 en Ituri	USD	15,000	7,500	7,500	15,000	0	15,000
5100090 - Provision of psychological rehabilitation and material support to victims in the DRC	USD	35,000	0	1,750	1,750	0	35,000
5100104 - Provision of psychological rehabilitation to victims in the DRC	USD	44,000	6,556	6,600	13,156	0	44,000
5100103 - Provision of psychological rehabilitation and material support to war victims in DRC	USD	55,000	19,886	8,250	28,136	0	55,000
5100105 - Provision of psychological rehabilitation and material support to victims in the DRC	USD	55,000	22,421	8,250	30,671	0	55,000
5100107 - Provision of psychological rehabilitation and re-scholarship of victims in the DRC	USD	55,000	13,537	8,250	21,787	0	55,000
5100056 - Provision of psychological rehabilitation and material support to victims in the DRC	USD	120,000	9,891	0	9,891	0	52,355
5100092 - Provision of quality substantial mental health services for traumatised war-affected populations in Northern Uganda	USD	340,000	51,000	0	51,000	0	340,000
5100108 - Provision of quality substantial mental health services for traumatised war-affected populations in Northern Uganda	USD	390,000	195,000	195,000	372,711	17,289	372,711
Reparations Mandate							
4701199 - Katanga case reparations - indiv. awards DRC	USD	74,250	0.00	70,000	74,250	0	74,250
5100102 - Identification et evaluation des prejuges psychologiques, physique et socioeconomique des jeunes ayant participe dans les groupes armes de 2002-2003 en Ituri	USD	112,000	10,128	38,983	26,033	23,078	71,595

Final audit report on the financial statements of the Trust Fund for Victims for the period ended 31 December 2017

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I. Audit objectives, scope and approach

1. We have audited the financial statements of the Trust Fund for Victims (TFV). The audit was conducted in accordance with the International Standards on Auditing (ISSAI and ISA¹) and regulation 12 of the Financial Regulations and Rules of the International Criminal Court, including the additional terms of reference governing the audit.

2. The overall objective of an audit of financial statements is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, thereby enabling the auditor to express an opinion on whether the financial statements are prepared, in all material respects, in accordance with the applicable financial framework.

3. The additional terms of reference governing the audit of the Court and all trust funds including The Trust Fund for Victims, disclosed in paragraph 6 (c) of the annex to the Financial Regulations and Rules lists other matters, which the External Auditor considers should be brought to the notice of the Assembly of States Parties (Assembly), such as wasteful or improper expenditure of the Trust Fund for Victims' money and other assets, and expenditure not in accordance with the intention of the Assembly.

4. The audit mission consisted of two phases:

(a) An interim audit (from 4 to 15 December 2017) focusing on aspects relating to internal control and International Public Sector Accounting Standards (IPSAS); and

(b) A final audit (from 28 May to 8 June 2018) focusing on the financial statements and IPSAS disclosure requirements, as well as financial and governance controls.

5. A closing meeting with the Executive Director of the Trust Fund for Victims and his staff was held on 7 June 2018. This report has been prepared taking into account the written comments sent by the Trust Fund for Victims on 2 July 2018.

6. We express an **unqualified opinion** on the financial statements of the Trust Fund for Victims for the financial year ended 31 December 2017.

II. Recommendations

Recommendation 1: In order to be able to accurately substantiate all of its commitments related to the enforcement of the reparations awards, the External Auditor recommends that (a) the TFV Secretariat have access to the victim identification software (VAMS) and that

¹ International Standards of Supreme Audit Institutions.

(b) additional IT developments be configured to take account of the specific needs of the reparations activity (eligibility status, individual and/or collective reparations, status of implementation of reparations, justification of granted sums, relations with the victims' legal representative, etc.).

III. Follow-up on prior year recommendations

7. The External Auditor reviewed implementation of recommendations arising from prior year audits of the financial statements.

Table 1: Follow-up on previous recommendations

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
2016-1	Financial statements	The External Auditor recommends that the TFV Secretariat add an extra note to the financial statements giving a fair view of each project's status, detailing the following information : (a) the annual budget allocated to each project; (b) advances paid, including those justified and those yet to be justified; and (c) actual expenditure over the period. This detailed note would make it possible to reconcile actual amounts paid out during the year with those shown in the financial statements.	X		
2016-2	Monitoring of local partner's audit reports	The External Auditor recommends that the TFV Secretariat systematically require its local partners to provide audit reports, and that it conduct methodical formalized monitoring of recommendations set out in these reports, in order to continually improve the quality of action taken by implementing partners.		X	
2015-2	Field operations	The External Auditor recommends that the TFV Secretariat implement financial training initiatives for field programme officers.		X	
2015-3	Field operations	The External Auditor recommends that the TFV Secretariat strengthen the financial control of operations carried out by the implementing partners by requiring that the Field Programme Officers' duties include spot-checks of expenses incurred (invoices and purchase orders). The results of these checks should be made available to headquarters to justify the actual expenses incurred.		X	
2015-4	Field operations	To ensure effective project monitoring and control, the External Auditor recommends that the TFV Secretariat strengthen the field teams.		X	
2014/1	Delegation of the Registrar's administrative authority	In order to clarify the scope of the Registrar's delegation of authority to the Secretariat of the Trust Fund for Victims, the External Auditor recommends to: (a) For the TFV Secretariat, in consultation with the Registrar, (i) to review the scope of the delegation of authority in order to clarify the roles and responsibilities over all eventualities, such as the conclusion, suspension, termination and extension of contracts with implementing partners; and (ii) to ensure proper authority has been granted to the TFV Secretariat staff so they may manage their operations and activities, as indicated in the TFV Regulations. (b) Establish a suitable arbitration mechanism, involving if necessary the Board of Directors of the TFV and the Bureau or another appropriate subsidiary organ of the Assembly of States Parties, to guarantee a smooth decision making process and avoid unnecessary delays and tensions.			X

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
2014/2	Management roles and responsibilities	The External Auditor recommends putting an end to existing managerial ambiguities within the TFV Secretariat leading to a lack of clarity about accountability and responsibilities by clarifying the roles and responsibilities of the TFV staff mainly as regards fund-raising, donor relations and project contract management, in order to avoid overlaps and to make the decisions and activities of TFV more effective and coordinated. This could be done through the review of the work surveys and job descriptions; and adoption of the responsibility assignment chart as proposed by the TFV, which identifies roles and responsibilities and avoids any confusion.		X	
Total number of recommendations: 7			1	5	1

8. Recommendation 2016-1 is considered implemented following the addition of an appendix to the notes presenting the status of projects.

9. Recommendation 2016-2 is considered partially implemented. The TFV decided to use the services of a local auditor to audit all the programmes in Uganda carried out by implementing partners. According to the TFV, the recommendation should be fully implemented starting in 2019.

10. Recommendation 2015-2 is considered partially implemented. The Finance Officer was recruited in April 2018 by the TFV. He is in charge of overseeing internal control, accounting and financial issues, and quality of internal procedures. The TFV plans to organize two training sessions in July 2018 for the teams in charge of field programmes on the themes “Fighting fraud in NGOs” and “Assessing financial health of implementing partners”.

11. Recommendation 2015-3 is considered partially implemented, given that the TFV has established four spot checks on its projects carried out in the Democratic Republic of Congo. The TFV is currently working on harmonizing, strengthening, and formalizing these controls. The External Auditor feels that the documentation of current controls should be reinforced, particularly by repatriating copies of the records tested and analysed by the field programme managers during the controls and sent to the head office. The TFV believes that the implementation of this recommendation will be possible when P2-level Associate Field Programme Officers are recruited in Côte d’Ivoire and Uganda.

12. Recommendation 2015-4 is considered partly implemented, following the budget approval by the Assembly of States Parties in November 2016. It authorizes the establishment of the TFV’s new organizational structure. In May 2018, the TFV considered a significant recruitment plan to fill existing and newly necessary posts. In its 2019 budget proposal, the TFV plans to increase the number of positions to meet the new requirements relating to the payments of reparations to victims.

13. Recommendation 2014-1 is considered not implemented. The TFV and the Registry are considering developing a global framework for delegating the administrative authority of the Registrar of the Court to the Executive Director and to the TFV’s programme managers. When setting up the administrative delegation, the roles and responsibilities of each person will need to be examined, including the new functions provided for in the TFV’s new organizational structure. The implementation of this recommendation will not be possible until the RACI (Responsible Accountable Consulted Informed) matrix has been finalized.

14. Recommendation 2014-2 is considered partially implemented. The TFV’s new structure and the new job descriptions more clearly indicate the reporting relationships and the responsibilities within the Secretariat, but some adjustments are still needed. The RACI matrix is still under development, as it requires the participation of all staff before it can be finalized.

IV. Summary of the financial position

15. The TFV's statement of financial performance shows a surplus of €0.410 million compared with a deficit of €0.269 million in 2016. This change is mainly due to the increase in voluntary contributions and assessed contributions, which increased by €1.151 million (+66 per cent) and €0.289 million (+15 per cent) respectively in 2017. The TFV had a more proactive approach to mobilize voluntary contributions from donors in order to meet the new needs created by the victim reparations ordered by the Court. Programme expenses increased by €0.989 million (+44.5 per cent), whereas administrative expenses decreased by €0.242 million (-14 per cent). Note that the TFV terminated the first programme cycle of its assistance mandate in the Democratic Republic of Congo in 2017, while completing the procurement process for a new programme cycle of five years in 2018.

16. In addition, for the first time, the TFV is carrying out its reparations mandate in the Democratic Republic of Congo with Mr Katanga's victims. On 24 March 2017, the Court's Trial Chamber II awarded reparations to the victims of crimes committed by Mr Katanga² on 24 February 2003 during an attack on the village of Bogoro in the Ituri district of the Democratic Republic of Congo. The Chamber awarded individual reparations to Mr Katanga's 297 victims, with symbolic compensation of US\$250 for each victim, as well as four targeted collective reparations, in the form of a housing assistance, support for an income-generating activity, an educational assistance, and psychological support.

17. In accordance with regulation 56 of the TFV (ICC-ASP/4/Res.3), the Board of the Directors of the Trust Fund decided in 2017 to supplement the proceeds for enforcing the reparations decisions with 'other resources' for the Katanga and Lubanga³ cases, which resulted in the recognition of a provision of €1.775 million in the financial statements.

18. The statement of financial position improved overall from €13.863 million in 2016 to €15.839 million in 2017.

V. Main findings and recommendations

A. Mandates of the TFV

19. The TFV, established by article 79 of the Rome Statute, was created by a decision of the Assembly of States Parties in 2002 and began field operations in 2008.

20. The TFV has the following mandates:

(a) An assistance mandate, which includes three forms of intervention: physical rehabilitation, psychological rehabilitation and material support. Using donors' voluntary contributions, the TFV provides assistance to victims and their families whose situation falls under the jurisdiction of the Court. The assistance mandate is a way of providing an immediate, non-judicial response to the urgent needs of victims (and their communities) who have suffered harm as a result of the commission of crimes falling under the Court's jurisdiction. The assistance mandate makes it possible to help victims without taking into consideration who committed the crimes; and

(b) The reparations mandate, which involves implementing awards for reparations ordered by the Court against a convicted person.

21. With regard to its assistance mandate, the TFV continued its activities in Uganda thanks to its implementing partners, carrying out physical and psychological rehabilitation actions (€0.877 million), while all assistance projects were finalized in the Democratic Republic of Congo (US\$0.120 million) in 2017.

22. With regard to its reparations mandate, the TFV implemented the individual reparations awards ordered to the victims in the Katanga case in the Democratic Republic

² ICC-01/04-01/07.

³ ICC-01/04-01/06.

of Congo in 2017. The collective reparations for the Katanga and Lubanga cases are expected to be implemented in 2018.

23. The TFV is organised as follows: the Secretariat is responsible for managing administrative and financial procedures, searching for donors and controlling project budgets. Field programme managers carry out operational project monitoring. They are responsible for the oversight and guidance of physical and financial project implementation by the Trust Fund's implementing partners, as well as of the quality of financial and operational results reporting by implementing partners.

24. The implementing partners are remunerated according to a standard scheme whereby 50 per cent of the contract amount is granted as an advance upon the signing of the contract, 35 per cent is paid during the project according to the implementation of the programme, and the remaining 15 per cent is paid after final determination of project completion.

25. The External Auditor reviewed all the projects for which expenditure totalled €3.213 million in 2017, compared with €2.224 million in 2016.

26. The External Auditor also assessed the project execution control system set up by the TFV Secretariat over financial year 2017. This approach resulted in a review of procedures, follow-up on prior year recommendations, and detailed testing of all the projects in progress. The External Auditor did not carry out any assignments on the TFV's fields of intervention.

27. The External Auditor generally noted that the prior year recommendations had begun to be implemented, including:

- (a) The decision to use a local auditor's services in the near future to audit the assistance operations implemented by implementing partners for each country;
- (b) The scheduling of training for the teams in charge of field programmes; and
- (c) The drafting of an internal procedure defining the inspection areas and the key controls to be carried out, with a weighting of the conclusions within the framework of spot checks on its projects.

28. The External Auditor encourages the TFV to expand its control manual and to extend the spot check approach to all intervention programmes. The External Auditor feels that the documentation of current controls should also be reinforced, particularly by repatriating copies of the records tested and analysed by the field programme managers during the controls and sent to the Head Office.

B. Reparations mandate

29. Following the issuance of various orders in recent years relating to the Lubanga, Katanga, and Al Mahdi cases, the TFV is now in a position to grant reparations to the victims, taking into consideration the need for sufficient resources.

30. The Regulations of the Trust Fund for Victims provide for two options for identifying eligible victims:

- (a) The Court identifies each beneficiary eligible for reparations and entrusts the list of such beneficiaries to the TFV; or
- (b) The Court does not identify the beneficiaries, leaving the TFV responsible for coordinating with the Public Information and Outreach Section and the Victims Participation and Reparations Section in charge of the screening of beneficiaries to analyse the eligibility of beneficiaries.

31. The TFV is then responsible for paying the reparations either directly or through intermediaries (states, intergovernmental organizations, and national or international non-governmental organizations). The TFV must ensure that the reparations have been received by the beneficiaries and account for them.

Although the reparations activity was incipient in 2017, the External Auditor draws the States' attention to the internal control impacts of implementing individual reparations for the TFV.

They require significant effort in terms of legal expertise, traceability, and documentation of information to be used in the preparation of financial statements (completeness, reality, accuracy of commitments, and rights and obligations). However, the TFV's current structure cannot ensure such a level of rigour, especially given the number of potential victims considered depending on the case (for example, the decision of Trial Chamber II in the Lubanga case mentions hundreds or even thousands of victims⁴).

32. If the current internal controls are not adapted, this situation will create uncertainties as to the completeness, reality, and accuracy of the commitments, which could lead to significant difficulties in terms of certification.

Recommendation 1: In order to be able to accurately substantiate all of its commitments related to the enforcement of the reparations awards, the External Auditor recommends that (a) the TFV Secretariat have access to the victim identification software (VAMS) and that (b) additional IT developments be configured to take account of the specific needs of the reparations activity (eligibility status, individual and/or collective reparations, status of implementation of reparations, justification of granted sums, relations with the victims' legal representative, etc.).

VI. Acknowledgements

33. The External Auditor wishes to thank the Trust Fund for Victims and the members of the Office of the Registrar of the International Criminal Court, for the cooperation and general support provided to the audit team during the audit.

End of audit observations.

⁴ ICC-01/04-01/06 of 21 December 2017, para. 280.