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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 2017 to 30 June 2018**

### *Executive Summary*

The Trust Fund for Victims (“TFV” or “Trust Fund”) fulfils two mandates for victims of crimes under the jurisdiction of the International Criminal Court (“ICC”): implementing reparations to victims that are ordered against a convicted person by the Court and providing assistance to victims and their families through the use of voluntary contributions from donors. The Trust Fund has continued its approach of mainstreaming gender throughout all of its programming processes, combining a victim-centred approach with an integrated community-based approach.

In the reporting period, the Board of Directors of the Trust Fund for Victims (“Board”) convened for two meetings, once in December 2017 in New York and once in May 2018 in The Hague. The Board remained continuously engaged with decision-making and advice in regard to developments in the Trust Fund’s mandates as well as the Fund’s institutional and resource development.

Major developments for the TFV in the reporting period include:

The continued and intensified engagement in the implementation phase of reparations awards in *Katanga* and *Lubanga*, and the submission of a draft implementation plan for reparations in *Al Mahdi* ;

The completion of the procurement process to launch a new programme cycle for the assistance mandate in the Democratic Republic of the Congo (DRC); the extension until end of October 2018 of the current assistance programme and in northern Uganda, which will allow the completion of the on-going tender to launch a new cycle of the assistance programme in this country; as well as the launch of a new assistance programme in Côte d’Ivoire, including the provision of technical expertise to the Ivorian Government to strengthen its capacity;

Following the acquittal decision in *Bemba*, the decision to relaunch the Trust Fund’s assistance programme in the Central African Republic (CAR), which will be prioritising victims who had been participating in the Bemba case as well as, more widely in the CAR situation, victims of sexual and gender based violence;

The reorientation of the development of the Trust Fund’s institutional capacity in order to secure operational capacity specifically related to the new business of implementing Court-ordered reparations awards;

The reorientation of the Fund’s resource development strategy to enable reparations awards-specific fundraising, next to the pursuit of unrestricted funding and earmarked

contributions thematically linked to the Fund's findings of particularly vulnerable groups of victims, such as those suffering harm from sexual and gender based violence (SGBV); and in relation, the decision of the Board to explore and pursue innovative financing mechanisms to generate a sustained and higher level of annual revenue.

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 €2,717,701.51 contributions received from States; €8,877.75, from institutions and individuals (€3,765.09 in the TFV bank accounts, and €5,112.66 in the TFV PayPal account); €6,894.08 in-kind and/or matching donations from implementing partner organizations from the period of 1 July 2017 – 31 March 2018; and €5,911.87 in interest income. The TFV Euro account showed a balance of €2,502,261.58, and the US Dollar account had a balance of \$83,744.34. In addition, the Trust Fund currently has two saving accounts of €5,000,000 and €6,827,144.78 as per 30 June 2018.

## *Call for contribution to the Trust Fund for Victims*

Trust Fund for Victims' 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.

Over the past 10 years, more than 104,000 individuals have benefitted directly from TFV-supported assistance in the DRC and Uganda, and more than 350,000 family and community members have indirectly benefitted. Through the assistance mandate, TFV has been able to provide, for instance, reconstructive surgery, provision of prosthetic limbs, trauma-based counselling, educational support, income-generating activities and conflict mediation and reconciliation.

With voluntary contributions and support from States Parties, the TFV can continue providing much needed assistance to the most vulnerable victims, so that these victims are able to begin the process of healing and become positive contributing members of the communities.

TFV currently depends on voluntary contributions and donations to implement its mandates in order to keep up with the jurisdictional (situations) and case (reparations) developments at the International Criminal Court, and so to deliver on the Rome Statute's promise of reparative justice to victims.

In consideration of the current status and outlook for Court-ordered reparations, as well as the need to assist victims at the level of ICC situation countries, the TFV aspires to raise €40 million in voluntary contributions and private donations by 2021, in order to implement and complement the payment of reparations orders and to expand the implementation of assistance programmes to the benefit of victims in as many situations as possible before the Court.

The Board acknowledges with deep appreciation both the unrestricted and earmarked voluntary contributions received during the reporting period.

The Board calls upon States, international and inter-governmental organizations, individuals, corporations and other entities to make voluntary contributions, in accordance with their financial ability, to the Trust Fund for Victims in order to ensure that the rights of victims and their families to receive the reparations and assistance they need become realities.

The Board invites States parties to follow the example of existing multi-annual funding agreements with the TFV, using official development assistance ("ODA") resources.

The Board invites States Parties to respond to requests by the TFV for earmarked contributions for the purposes of funding specific reparations awards, as well as for replenishing and strengthening the Trust Fund's general reparations reserve, and expresses its appreciation to those that have already done so.

The Board invites States Parties to consider making earmarked voluntary contributions to the Trust Fund to the benefit of victims of sexual and gender-based violence, and expresses its appreciation to those that have already done so.

The Board further expresses its appreciation to all States Parties who may be supporting the Board's endeavours to explore and develop innovative funding scheme aimed at increasing TFV voluntary contributions by entering the bond market, in order to elevate the TFV's revenue to a level that is conducive to making reparative justice to victims a meaningful and credible feature of the Rome Statute system.

## 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 this annual report to the Assembly of States Parties (“the Assembly”). The period covered by this report is from 1 July 2017 until 30 June 2018. The report gives a summary of the achievements made through the implementation of active assistance projects in two situation countries under the jurisdiction of the Court, as well as activities undertaken in relation to the reparations orders in the *Lubanga*, *Katanga*, and *Al Mahdi* cases. The report also provides an update of the Trust Fund’s financial situation and the Secretariat’s prospective budget for 2019.

## II. Activities and projects

2. The Trust Fund fulfils two mandates: (1) implementing reparations ordered by the 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>

### A. Meetings of the Board of Directors

3. The Board held its 17<sup>th</sup> Meeting in New York on 4 – 5 December 2017, as decided in the previous annual meeting. This coincided with the 16<sup>th</sup> Session of the Assembly of States Parties in New York, which allowed the Board to meet States Parties’ representatives, ICC officials, and civil society groups. In this meeting, the Board reviewed and discussed progress made towards the implementation of reparations in the *Katanga*, *Lubanga*, and *Al Mahdi* cases, as well as developments in the assistance mandate programs and fundraising and visibility activities.

4. The Board made six decisions during the meeting which included approving the recruitment of additional legal capacity, exploring further an initiative from Santa Clara University regarding seminar and fundraising activities in the U.S, extending the Strategic Plan 2014 – 2017 into 2018, setting a contributions target of EUR 30 million (subject to change pending reparations orders) for the next four years, deciding to cover 15% administration and operational costs for the implementation of reparations outside the reparations awards, and to hold the next TFV Board Meeting in May 2018.

5. The Board held its 18<sup>th</sup> meeting in The Hague from 22 – 24 May 2018.

6. In this meeting, the Board discussed the progress made towards the implementation of reparations awards and assistance programmes in Uganda, DRC and Côte d’Ivoire as well as the outlook for expanding assistance programmes to other situation countries. The Board was presented with the organizational updates, a financial review of contributions and allocations for programmes, the proposed 2019 budget as well as a funding initiative through bonds mechanism.

7. During one of the sessions, the Board had a meeting with the ASP President O-Gon Kwon, ICC President Chile Eboe-Osuji, Madam Prosecutor Fatou Bensouda, and Mr Registrar Peter Lewis. The newly elected ASP President and the Court’s principals addressed the Board and expressed their appreciation for the work undertaken by the TFV and highlighted the importance of TFV’s dual mandates. The ASP President and the Court’s principals also reiterated their support and future collaboration to ensure victims who have suffered harms of crimes under the jurisdiction of the ICC receive the reparations and assistance they need.

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<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.

8. The Board held a separate session with civil society organizations and had a productive dialogue with regard to how the TFV and NGOs can work together to enable victim survivors to overcome harm and rebuild their lives, the need to increase TFV's visibility and outreach activities, and the possibility of the TFV to expand its assistance mandate to other situation countries.
9. Together with the Ambassador of Ireland to The Netherlands, H.E. Kevin Kelly, the Board held a public session inviting States Parties, Court's principals, ICC judges and colleagues, as well as civil societies groups to discuss findings and recommendations from the joint monitoring mission to Uganda which took place in February 2018. The mission report was also presented and discussed by the Board during The Hague Working Group session in May 2018.
10. During the meeting, the Board also discussed an innovative funding scheme aimed at increasing TFV voluntary contributions by entering the bond market. This initiative called the "TFV Bond", is led by Ambassador David Scheffer, and foresees the issuance of a long-term (20-year) bond in the amount of €1 billion. This bond will be guaranteed by a number of Category A- or higher - States Parties, with each guarantor State Party being responsible for only its percentage share of the guarantee. The funds raised through the "TFV Bond" initiative would be conservatively invested across a diversified portfolio of assets, with the objective of generating an expected annual investment return, which would provide the TFV with €10 million annually.
11. The Board approved an increase of €500,000 for the assistance reserve, which brings the total reserve to €1.5 million. The Board approved also an increase of €240,000 for the new assistance programme cycle in Uganda, bringing the final envelope for 2018-2019 ) to €1.2 million. The Board confirmed allocations made last year of approximately €1.4 million for the new programme in the DRC., as well as €800,000 for the new programme in Côte d'Ivoire, both due to start in 2018. Additional financial commitments endorsed by the Board include €500,000 for situational assessments in other ICC situation countries) and allocation of funds for capacity building for gender mainstreaming and conflict sensitivity, Management Information System, and field based communications and outreach.
12. The Board approved an increase of €2 million for the reparations reserve, which brings the total reserve to approximately €7.7 million. Some amounts of the total reserve have been previously allocated for reparations awards.
13. In the *Lubanga* reparations, the Board had previously approved allocation of €1 million and during this meeting an additional €2 million was approved. This brings the total to €3 million allocated for *Lubanga* collective reparations. The TFV will continue to fundraise for the remaining amounts out of US\$ 10 million which was set by the Trial Chamber as the total amount of Mr Lubanga's liability for collective reparations.
14. In the *Katanga* case, on 24 March 2017, the Trial Chamber issued an order for reparations against Mr Katanga in the amount of US\$1 million comprising individual and collective awards. In 2017, Government of the Netherlands provided earmarked contribution of €70,000 to cover the full amount of individual awards, while an additional €130,000 was allocated to collective awards. During the Board meeting in 2018, the Board decided to allocate €500,000 from the reparations reserve to cover the collective reparations. The TFV will continue to fundraise for the remaining amount that is still needed for the collective awards in this case.
15. In the meeting, the Board decided to allocate €800,000 for *Al Mahdi* reparations from the reparations reserve and to further fundraise for the remaining amount that was set as Mr Al Mahdi's liability for reparations. On 17 August 2017, the Trial Chamber concluded that Mr Al Mahdi is liable for €2.7 million for individual and collective reparations for the community of Timbuktu for intentionally directing attacks against religious and historic buildings in that city.
16. The Board also decided to allocate €1 million in the anticipation of any reparations order in the *Bemba* case. Following the decision on Mr Bemba's acquittal on 8 June 2018, the Board decided to expedite the assistance programme in CAR and allocate €500,000 from the reparations reserve and €500,000 from the assistance reserve towards this process.

17. Finally, the Board decided to hold another meeting in December 2018 prior to the 17<sup>th</sup> ASP Session in The Hague.

## **B. Other Events and Meetings**

18. Board member Ms Mama Koité Doumbia and Executive Director Mr Pieter de Baan were invited to attend a seminar hosted by the Africa Legal Aid in cooperation with the Commission of the African Union. The seminar entitled “Carrying Forward the Legacy of the Extraordinary African Chambers in the Habré Trial: an African Solution to an African Problem” took place from 3 – 4 July 2017 during the 29<sup>th</sup> AU Summit in Addis Ababa, Ethiopia. During this seminar, the Trust Fund discussed issues related to justice and reparations.

19. On 17 July 2017, the TFV was invited to attend a conference in commemoration of International Criminal Justice Day called “Challenges and opportunities for the ICC on the eve of the 20<sup>th</sup> anniversary of the Rome Statute” in Dakar, Senegal. The event was hosted by Minister Sidiki Kaba, former ASP President. Mr de Baan attended the event in Senegal, while other TFV staff attended a similar event in New York and discussed the issue of the universality of the Rome Statute.

20. On 15 September 2017, Board member Mr Felipe Michellini accompanied the former ICC President, Judge Silvia Fernández de Gurmendi, to meet His Holiness Pope Francis at the Vatican. The meeting was aimed at discussing global peace and justice.

21. Board Chair Mr Noguchi and Mr Michellini went to The Hague and attended various meetings from 19 – 27 September 2017. These included a session with the Committee on Budget and Finance (CBF) to discuss the TFV Secretariat’s budget for 2018, and meetings with the Court’s officials as well as States Parties’ representatives as part of fundraising efforts and increasing TFV’s visibility.

22. On 21 September 2017, on the occasion of the visit of Mr Michellini, the Ambassador of Uruguay H.E. Mr Ricardo Nario hosted a meeting between the Latin American and Caribbean States Parties and the Trust Fund to strengthen relations, and explore options for support from the region.

23. On 28 September 2017, Parliamentarians for Global Action (PGA) with the support of the Trust Fund organized a meeting called “Strategic Meeting on Support for Victims of Mass Atrocities” at the European Parliament in Brussels, Belgium. The meeting was chaired by the PGA European Parliamentary Group Chair, Ms Ana Gomes, MEP (Portugal), and panel members included Mr David Donat Cattin, PGA Secretary General, Ms Barbara Lochbihler, MEP (Germany), Mr Michellini, and Mr de Baan. The purpose of the meeting was to introduce the Trust Fund, its mission, activities and the impact results among the EU members of parliamentarians.

24. Board member Alma Taso-Deljković and Mr de Baan participated in a joint mission to Georgia together with the former ICC Registrar Mr Herman von Hebel and the Office of the Prosecutor from 2 – 6 October 2017. The inter-organ outreach mission was aimed at raising awareness about the Court, the TFV and the different roles of the various ICC organs. The TFV conducted its first meetings and dialogues with various stakeholders including victims groups, civil society and government’s officials. The joint mission gave the opportunity for the TFV to have a better understanding of the situation country, as well as the needs of victims, and to look into the possibility of expanding the assistance programme to Georgia.

25. Mr Michellini participated as a panellist on a conference "International Criminal Court: Trust Fund for Victims as an essential institution in compliance with the mandate of the ICC in relation to victims", organized by Artigas Institute of Foreign Service (IASE) on 10 October 2017, in Montevideo, Uruguay.

26. On 20 October 2017, the TFV participated in a plenary conference entitled "The ICC and International Cooperation: The Challenges of Asset Recovery" which was held in Paris, France. The participants discussed issues related to financial investigations, identifications of assets for the purpose of granting reparations, and the prevention of misuse of legal aid. Participants also discussed the draft Paris Declaration on Co-operation

in Asset Recovery. The Paris Declaration reaffirms the commitment of States Parties to the Rome Statute to cooperate with the Court in the area of asset recovery and underlines different types of action to be taken to strengthen such cooperation.

27. Mr de Baan was invited by Leuven University in Belgium to participate in the 6<sup>th</sup> International Seminar on Transitional Justice, entitled “Memory and Transitional Justice: From a ‘duty to remember’ to pluralistic memory scapes?” which took place in Leuven, Belgium from 25 – 26 October 2017. The objective of the seminar was to discuss different aspects of memory and transitional justice which include normative framework, the politics of memory and its entrepreneurs, the problem of contested memories, and the practise of memory construction.

28. From 30 – 31 October 2017, Mr Michelini was invited to participate as a panellist in a seminar titled "The Reparation System of the Rome Statute and Initiative for Truth and Justice" which was organized by the Parliamentarians for Global Action (PGA) and the Parliament of Uruguay, Montevideo.

29. In December 2017, the Board of Directors and the Secretariat’s staff participated in the 17<sup>th</sup> Session of the ASP in New York. The Board Chair presented the TFV annual report to the States Parties detailing the Trust Fund’s activities and impacts during the reporting period. The TFV organized a side-event co-hosted by the governments of Ireland, Finland, and Uruguay in which participants discussed the Trust Fund’s experience making reparative justice a reality. During the side-event the co-host countries reiterated their support to the Trust Fund and noted the need for increased voluntary contributions in the coming years. The Government of Finland also announced during the side-event its second multi-year agreement with the total amount of EUR 800,000 for a three year period. The TFV also conducted a reception with a temporary exhibition showcasing the impact results from programmes in DRC and Uganda. The reception was co-hosted by the governments of the Netherlands, Uganda, and Mali. The Board expressed its appreciation of the continued support received from the co-hosted States Parties as well as other States Parties which have contributed to the TFV thus far.

30. On 15 February 2018, Board Chair Mr Noguchi participated at a commemoration of the 20<sup>th</sup> anniversary of the Rome Statute organized by the Coalition of the ICC in The Hague. Due to a prior engagement, Board Chair Mr Noguchi participated by giving a speech via video. In his speech Mr Noguchi discussed the Trust Fund’s essential role within the Rome Statute system, successes that the Trust Fund has achieved thus far and challenges that may arise in the future for both the Court and the Trust Fund.

31. From 19 – 23 February 2018, in commemoration of the 20<sup>th</sup> anniversary of the Rome Statute, the Government of Ireland and Trust Fund led a joint monitoring visit to northern Uganda. The monitoring visit, initiated by the Government of Ireland, was aimed at reviewing the implementation of TFV projects in northern Uganda, meeting with victim survivors and affected communities who have been receiving the support from the TFV, and hearing how the assistance has made positive impacts to them. The visiting delegation include ASP President Kwon and representatives from the governments of Canada, Chile, Denmark, Ireland, Finland, Netherlands, Norway, Sweden, Uganda, United Kingdom, and the European Union. Mr Michelini, Mr de Baan, TFV Secretariat and Field Office Kampala staff members were also participated in the visit. The mission included project visits to Gulu and Lira, two districts in northern Uganda, participation in several radio programmes, and meetings with local authorities. The visiting delegation also had a meeting with the Ministry of Justice and held a press conference in Kampala at the end of the visit.

32. On 15 March 2018, Mr Michelini was invited to go to Washington D.C, the U.S. to participate in the Permanent Council of the Organization of American States (OAS) Special Working Meeting on Strengthening Cooperation with the International Criminal Court. Mr Michelini joined via a video conference encouraging the cooperation between the OAS and the ICC in commemoration of the 20th anniversary of the Rome Statute, and TFV staff members participated in the U.S., presenting the work of the TFV during the meeting.

33. The TFV participated in the annual inter-university seminar between the University of Lyon and University of Poitiers on 19 March 2018 to discuss reparations proceedings at the ICC and the role of the TFV in implementing reparations orders. The seminar was

attended by more than 35 master's students in criminal law and criminal sciences, as well as professors from both universities.

34. On 9 April 2018, Mr Michelini participated as a panellist in a conference commemorating the 20<sup>th</sup> anniversary of the Rome Statute organized by the Justice and Human Rights Department & International Affairs Department of Argentina, in Buenos Aires.

35. From 25 - 26 April 2018, Ms Koité Doumbia participated in the event "Emerging Trends on Complementarity: Consultation with West African Stakeholders" organized by Africa Legal Aid in cooperation with The Office of the Attorney General and Minister of Justice of The Gambia. The event, which took place in Banjul, The Gambia was commemorating the 20<sup>th</sup> anniversary of the Rome Statute. Ms Koité Doumbia was a guest of honour and chaired a panel on Country Situations session.

36. From 14 – 19 May 2018, Ms Koité Doumbia and Board Chair Mr Noguchi participated in the annual ICC-NGO Roundtable in The Hague. More than 100 NGOs were part of the week-long event that sought to strengthen the bonds between the ICC and its NGO counterparts. Ms Koité Doumbia and the Board Chair as well as the TFV Secretariat represented the TFV in discussions about the future of the ICC and how to best address victims' needs. The event also included situation-specific discussions, presentations by the Prosecutor, the Registrar, and the President of the Court, and open dialogues on victims' issues and defence issues.

37. From 6 – 9 June 2018, Mr Michelini took part in the High-Level Seminar: "The International Criminal Court and South America: Opportunities for cooperation and exchange of experiences at 20 years of the Rome Statute" in Quito, Ecuador. The aim of the seminar was to increase cooperation in the international criminal justice system by enhancing understanding about the ICC cooperation regime, increasing dialogue, promoting efforts towards the universality of the Rome Statute, and reinforcing high-level and technical contacts and partnerships.

## C. Reparations mandate

38. The Trust Fund's reparations mandate is related to specific judicial proceedings before the Court that result in a conviction. Resources are collected through fines or forfeiture and awards for reparations and complemented with "other resources of the Trust Fund" if the Board so determines.

39. The Trust Fund's reparations mandate is beginning to play a larger role in the Fund's work as the Court's first criminal proceedings conclude. With four cases reaching the reparations stage in 2016, this represents an exciting and important opportunity for the Trust Fund to develop and strengthen its institutional partnership with the ICC in order to ensure the success of the reparations regime laid out in the Rome Statute.

40. Each of the three cases now at the reparations stage involve different crimes, which have resulted in diverse and distinct harms to the victims and their families. In partnership with the Court, the Trust Fund's task is now to ensure that the design of awards for reparations are responsive to the specific harms suffered by victims in each case as found by the respective Trial Chambers, and that, through their efficient and timely implementation, the promise of reparations can become a concrete and meaningful reality for victims, setting them on a path to healing and positive reintegration within their families and communities.

### 1. The *Lubanga* case

41. On 15 November 2017 the Trust Fund filed its third progress report on the implementation of collective reparations.

42. On 15 December 2017, Trial Chamber II issued its decision completing the reparations order in this case, in which it, *inter alia*: set Mr Lubanga's liability for the reparations awards to USD \$10,000,000; requested that the Board consider, in light of Mr Lubanga's indigence, complementing the payment of the reparations awards; found 425

reparations applicants eligible for the collective reparations awards; and tasked the Trust Fund with identifying and screening for eligibility purposes additional potential reparations beneficiaries.

43. Throughout the first half of 2018, the Trust Fund has worked in close collaboration with the relevant Registry sections and the legal representatives in the case with regard to the identification and screening process of potential reparations beneficiaries. Collective reparations programming for eligible beneficiaries is also ongoing.

44. On 15 January 2018 the Trust Fund filed observations in relation to locating and identifying additional victims pursuant to the Trial Chamber's decision completing the reparations order.

45. On 25 January 2018 the Trial Chamber issued an order posing four questions relating to the victim identification and screening process to the Trust Fund. The TFV was granted three extensions of time to submit its response, and on 17 March 2018 the TFV filed its response.

46. The Trust Fund submitted its fourth progress report on the implementation of collective reparations on 13 April 2018.

47. From 22-24 May 2018, at its annual meeting, the Board decided to provide an additional complement of €2,000,000 EUR for the payment of the *Lubanga* reparations awards. The Board had previously decided to reserve €1,000,000 EUR for the *Lubanga* case. Thus, in total, the Trust Fund's complement in the *Lubanga* case stands at €3,000,000 EUR. The Board further decided to undertake fundraising efforts to secure the remainder of the reparations award amount established by the Trial Chamber.

## 2. The *Katanga* case

48. On 25 July 2017 the TFV submitted its Draft Implementation Plan relevant to Trial Chamber II's Order for Reparations of 24 March 2017.

49. On 7 August 2017 the Appeals Chamber instructed the Trust Fund to indicate whether it would like to submit observations on the appeals against the Order for Reparations. On 25 August 2017 the Trust Fund requested leave to file observations. The request was granted, and the TFV filed observations pursuant to rule 103 of the Rules of Procedure and Evidence on 5 October 2017.

50. Throughout the first half of 2018, the Trust Fund has worked in close collaboration with the relevant Registry sections and the legal representatives in the case with regard to the reparations implementation process.

## 3. The *Al Mahdi* case

51. On 17 August 2017, Trial Chamber VIII issued its Order for Reparations in the *Al Mahdi* case, awarding reparations in the amount of € 2,700,000 EUR in the forms of individual compensation and collective economic and moral rehabilitation. In its order, the Trial Chamber: requested that the Board consider, in light of Mr *Al Mahdi*'s indigence, complementing the payments of both the individual and collective reparations awards; tasked the Trust Fund with identifying and screening for eligibility purposes additional potential beneficiaries of the individual compensation awards; and tasked the Trust Fund with preparing a draft plan for the implementation of the order.

52. Throughout the reporting period, the Trust Fund undertook several missions to Mali for the development of the draft implementation plan. The Trust Fund also collaborated closely with the relevant Registry sections for the purposes of designing the identification and screening process for potential beneficiaries. The Trust Fund requested extensions of time to submit the draft implementation plan on 22 January 2018 and 5 April 2018, which were both granted.

53. On 20 April 2018, the Trust Fund submitted its draft implementation plan relevant to the Trial Chamber's order awarding individual and collective reparations in the *Al Mahdi* case. By the close of the reporting period, the Trial Chamber has not yet issued a decision approving the draft implementation plan.

54. On 22-24 May 2018, at its annual meeting, the Board decided on its intent to complement the payment of the reparations awards in the amount of €800,000 EUR.

#### 4. The *Bemba* case

55. On 12 December 2017 the TFV submitted observations on the legal representative of victim's further request for an extension of time to submit additional information and/or final observations.

56. On 7 March 2018, the Trust Fund submitted its final observations on the reparations proceedings.

57. Following the acquittal of Mr Bemba by the Appeals Chamber on 8 June 2018, on 13 June 2018, the TFV announced plans to accelerate the launch of an assistance programme in the Central African Republic, which will be aiming to consider the harm suffered by victims in the Bemba case, as well as victims of sexual and gender based violence throughout the situation country.

#### D. Assistance Mandate

58. Using voluntary contributions from donors, the Trust Fund provides assistance to victims and their families in ICC situation countries through programmes of psychological rehabilitation, physical rehabilitation, and material support. Because assistance programmes are not linked to any particular case before the Court, the Trust Fund projects may provide an immediate response, at the individual, family, and community level, to the injury needs of victims who have suffered harm from crimes within the jurisdiction of the Court. Assistance projects also permit the TFV to assist a wider victim population than that which may be possible in relation to harms suffered within specific cases before the Court. The types of rehabilitation services provided to victims include (but are not limited to):

(a) *Physical Rehabilitation*, which may include reconstructive plastic surgery in relation to burn and disfigurement injuries, general corrective surgery, removal of bullet and shrapnel, prosthetic and orthopaedic devices, fistula repair, referrals for HIV and AIDS screening, and physiotherapy;

(b) *Psychological Rehabilitation*, which may include both individual, family, and group trauma counselling; counselling centres and walk in facilities for SGBV survivors (male and female); music, dance and drama groups that promote social cohesion and healing; capacity building for affiliate counsellors and organizations; community sensitisation workshops and radio broadcasts on victims' rights, information sessions and large-scale community meetings. Community awareness responses may include *engaging in community dialogue and reconciliation* to foster peace within and between the communities that create a suitable environment for the prevention of crimes;

(c) *Material Support* may include environmentally-friendly livelihood activities, education grants, vocational training, income generation activities, improved agricultural techniques, Village Savings and Loan Associations (VSLA/MUSO), 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*, which 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.

59. In Uganda the TFV administered 9 victim assistance projects through 8 non-governmental organization (NGO) implementing partners across northern Uganda. To increase the reach of the TFV Secretariat the TFV partners with local grassroots organizations, victim and survivor associations, women's associations, faith-based organizations, and international NGOs to implement the victim assistance programme. During this reporting period several monitoring missions were conducted by the Trust Fund

staff to oversee programme operations, strengthen local capacity, liaise with government authorities, and perform regular project monitoring and evaluation.

60. In February 2018 the Trust Fund launched a new request for proposals open tender process for assistance programming in northern Uganda. The tender process is expected to be completed by October 2018.

61. During 19-23 February 2018 a joint Trust Fund and the Government of Ireland monitoring visit of assistance projects in northern Uganda was organized and included the participation of ten Member States. The monitoring visit delegation included the newly elected President of the Assembly of States Parties, Mr. O-Gon Kwon of Korea. The delegation also included ambassadors from Canada, Uganda, the Netherlands, Denmark, and two from Ireland, along with representatives of Chile, Finland, Sweden, Norway, the United Kingdom, and the European Union. The Trust Fund for Victims was well-represented by two Board members, the Executive Director, and Uganda programme personnel. The ICC Registry was represented by staff from the Ugandan field office.

62. During the reporting period the Trust Fund finalized the procurement process for the launch of a 5-year new cycle of the assistance mandate programme in the Democratic Republic of the Congo (DRC), with 11 new organisation being identified. The tender followed a 2-stage process (Expression of Interest and the Request for Proposals). The first screening was conducted on the basis of three pass/fail eligibility criteria: local registration, relevant project experience and sound administrative structures demonstrated in independent audit reports. The documents submitted by the bidders for Expression of Interest were reviewed and the organizations that met the 3 eligibility criteria received the complete Request for Proposals package. The selection of the new implementing partners was based on the quality and relevance of the proposed projects and also took into account a balanced spread of harms to be addressed, geographical distribution and a balance of local and international partners. The final envelope of the first year complies with the fund allocation previously approved by the Board. The Trust Fund will closely monitor and document the implementation throughout the first year and project extensions into each following year will be based on satisfactory performance, availability of funds and related approval from the Board of Directors. The new DRC programme will be partly funded through SGBV earmarked contributions received last year from Andorra, Ireland and Japan. At the closing of the reporting period the TFV was awaiting for the minutes of the PRC meeting, to confirm that the tender was conducted in a fair and transparent manner, following the ICC financial rules and regulations.

## **1. Psychological Rehabilitation**

63. Mental health and psychological rehabilitation are essential components of the TFV assistance mandate activities that are intended to provide and promote psychological well-being and treatment of mental trauma and disorders among victims of mass atrocities. As argued by the World Health Organization (WHO), mental health and trauma are widespread consequences in conflict-affected societies, where one-third to one-half of the affected population are estimated to suffer from mental health and trauma distress. The most frequent conflict-affected diagnosis is post-traumatic stress disorder (PTSD), which is characterised by intrusive memories, avoidance of circumstances associated with the stressor, sleep disturbances, and lack of concentration (WHO, 2001). Since 2008 the TFV has been providing psychological rehabilitation to victims of the conflict between the Lord's Resistance Army and the Government of Uganda to improve their psychological wellbeing whereby victims may realize their own abilities and develop coping strategies for the normal stresses of post-conflict life, work productively and fruitfully, and become productive members of their families and communities.

64. TFV psychological rehabilitation interventions include the provision of multilevel services: support to victims and communities that seeks to enhance victim/survivors wellbeing by improving the overall recovery environment; focused individual psychological support oriented towards victims/survivors and their family and household members through the provision of individual and group counselling by professional qualified therapists; and clinical services provided either by a clinical psychologist or

through referrals to specialised mental health services for victims who require additional specialised support.

65. Community level support has been proven to play an important role in psychological and mental health recovery for victims because it causes victims/survivors to feel socially accepted and less stigmatized. Therefore over time the TFV's implementing partners placed great effort in organizing quiet or low-key community mobilisation and dialogues whereby community members can come together to discuss mental health issues and challenges caused by the conflict. TFV partners have observed an improved level of acceptance within the supported communities. For example, through a series of facilitated community dialogues and counselling, community attitudes toward individuals that were previously perceived as "rebels" have changed and this has facilitated these individuals' reintegration.

66. Community mobilisation initiatives included women, men, and youth support groups, dialogue groups, community education, and advocacy groups as well as local government, cultural, and spiritual leaders. During these dialogues facilitators ensured that issues of gender based violence and gender norms are explicitly discussed and addressed during meetings to reduce the stigma and discrimination associated with sexual violence by armed groups. Approximately 39,011 individuals were reached during community sensitization, psychological sensitization and education, and community dialogue events during this reporting period. Additionally, 664 individuals including 266 women and 398 men, respectively, contributed to radio broadcasts aired by the Centre for Children in Vulnerable Situations (CCVS) in Lira district on mental health issues, management, availability and service referrals.

67. In regards to focused individual healing, victims benefited from a combination of cognitive behavioural therapy (CBT) support sessions and clinical mental services for individuals with mental health disorders. This approach has empowered victims to establish, re-establish, or develop emotional, relational, social and psychological strength. To measure the outcome of the psychological support, victims are assessed by counsellors during intake sessions and improvement is measured during follow-up assessments every three months so as to observe progress in a victim's mental health symptoms. For instance during this reporting period out of 3,333 victims who received psychological services, 71.4% (2,381) showed improvement in the form of a decline of mental health symptoms after 6 months of treatment. After 12 months, individuals who completed a minimum of 5 sessions of individual therapy, 8 sessions of group therapy or 3 sessions of family and couples therapy on at most a bi-weekly basis were assessed every three months and at 12 months those who are found to have fully improved are discharged from the programme. The remaining victims stay in the programme until they have fully recovered as well. Therefore during this reporting period out of 10,494 victims who received psychological rehabilitation services, 6,195 (59%) of those cases were formally discharged from the programme due to their meaningful improvement or recovery and have since regained their normal life.

## **2. Physical Rehabilitation**

68. Since 2008, TFV has partnered with the Gulu Regional Orthopaedic Workshop (GROW) and local government structures through its implementing partner AVSI to produce and provide physical rehabilitation to victims in northern Uganda. As a result large numbers of disabled individuals have benefited from physical rehabilitation services undertaken with the support of the TFV, inter-alia the provision of prostheses, orthoses, wheelchairs, walking aids, physiotherapy, and follow-up care services in their villages (repair and maintenance of devices).

69. At the GROW centre, victims not only receive assistive devices and physiotherapy but they also benefit from psychological rehabilitation and home visits afterwards to ensure their smooth reintegration into the community and family life.

70. During this reporting period, 666 individuals received assistive devices out of an initial project target of 400. The increase in number is due to the fact that the TFV project recognised that people with disabilities will in most cases require some level of assistance throughout their lives. People who have been provided with assistive devices expect that it will be repaired or replaced when necessary.

71. Ensuring access to appropriate physical rehabilitation, which entails physiotherapy and the provision of mobility devices (prostheses, orthoses, walking aids, and wheelchairs), is the core objective of the TFV's physical rehabilitation programme. Enabling physically disabled persons to regain mobility is an important step in their social integration. However, the TFV recognizes that physical rehabilitation alone is often not enough to ensure physically disabled persons' full participation in society. It therefore strives to provide them with comprehensive assistance by addressing their rehabilitative needs and by helping them to reintegrate socially and economically. Although the TFV does not provide direct material support in Uganda, implementing partners ensure that beneficiaries of the physical rehabilitation programme are linked to local micro economic livelihoods initiatives in the region where they can join different initiatives based on their preferences.

72. As part of the physical rehabilitation process, a team of medical providers including social workers carry out regular home visits to beneficiaries who received physical rehabilitation to assess the extent to which they are reintegrating into their community. During this reporting period 2,422 follow up and homecare visits were conducted with social workers and medical teams and 44% (2,939 out of 6,655) beneficiaries who received physical rehabilitation support were found to have resumed their normal life. In fact victims report that they feel that the rehabilitative assistance gave them a second chance that allowed them to fulfil their human rights and enabled them to live in dignity.

73. In addition to the provision of assistive devices to victims with physical injuries, the TFV also provides medical support to SGBV victims with fistula who lived in shame, stigma, pain, neglect, and constant humiliation from family and the community. Specialised SGBV medical support provides victims access to specialised medical care such as reconstructive and corrective surgery. Having undergone successful corrective surgery and experiencing a full recovery, these women report that life has never been the same as they are now living dignified lives and their hope and optimism has been restored. A woman from Adwari Sub County, who received reconstructive surgery from the TFV partner the Ayira Health Services (AHS) centre, reports that since treatment she has been able to become pregnant and conceive a child. For this victim she had lived a long time with her injury and was without a child (though it was her wish to have a child) and this situation greatly affected her marriage.

74. In this reporting period, 298 survivors of SGBV suffering from fistula were provided with reconstructive and corrective surgery at the Lira Regional Hospital and at Ayira Health Services centre. In addition 4 men, formally abducted boys, who were sexually abused during their abductions in the bush, were medically treated for their SGBV related injuries at the Lira Regional hospital.

75. Furthermore, through medical support, 229 (64 female and 165 male) victims were supported to undergo major surgery for the removal of bullets and bomb fragments, or surgery for amputation caused by complications of burns. Other victims were referred to specialists for further management and treatment of complications caused by bullets and shrapnel, body parts severed by explosions, prolapse and severe psychotic cases, as well as cervical cancer cases related to sexual violence. Victims were assisted with transport, the costs of surgery, and medication during their rehabilitation process and recovery.

76. Beyond physical rehabilitation, TFV implementing partners have increasingly promoted through various activities the full participation and inclusion in society of victims with physical disabilities and survivors of SGBV. Several initiatives have been undertaken in this regard, such as linkages to micro credit assistance initiatives run by local organizations. Beneficiaries are also enabled to take advantage of educational opportunities, vocational training, and recreational activities.

### **3. Material Support**

77. While most of the Trust Fund's implementing partners in northern Uganda do not directly offer material support services, their project beneficiaries have been linked to local government community support programmes like the Youth Livelihood Initiatives and to different organisations supporting community economic empowerment, through which victims benefit from business trainings and Village Saving and Loan Association ("VSLA") initiatives. Beneficiaries have been involved in improved agriculture activities.

For example, a group of victims received chili seeds known to gain a good price in the local market and victims were able to improve their household income. Victims have utilized all of these opportunities to open small businesses that resulted in increasing their household incomes, leading to improved family wellbeing.

#### **4. Gender Mainstreaming**

78. The Trust Fund's implementing partners continuously promote gender sensitivity and inclusiveness in the implementation of all of their project activities across each of the Trust Fund's intervention areas (physical rehabilitation, psychological rehabilitation, and material support).

79. With regard to physical rehabilitation, as a policy, the Trust Fund's programmes prioritize female victims of sexual violence that cause gynaecological complications like fistula, as well as sexually transmitted diseases. By providing treatment, corrective surgery and repair, these victim survivors have been able to regain their dignity, and have been accepted and fully re-integrated into their communities.

80. In terms of psychological rehabilitation, the Trust Fund supports projects providing individual and group counselling focussed at the community level, as well as mixed-gender and women only settings.

81. Group therapy specifically for female victims of sexual violence offers a safe environment for these women to share their experiences and to receive and give emotional support to each other. Follow up assessments conducted at three and six months periods indicate that women participating in these therapy groups are better able to deal with and overcome their trauma, enabling them to begin to engage in community social and economic activities. Couples and individual counselling for both women and men, which addresses incidences of separation and divorce, has resulted in reconciliation and/or improved familial relationships. The Trust Fund and its implementing partners are currently focusing on engaging more men in psychological counselling in order to strengthen the impact and effect of these programmes and support the rights of children affected by armed conflict, including support of intergenerational responses.

82. Children in armed conflict are particularly vulnerable and are accordingly a priority population in the Trust Fund's assistance programmes. The Trust Fund supports projects at the community, family and individual level.

83. Community dialogues have contributed to a significant improvement in the rehabilitation and social inclusion of child victims in northern Uganda. These dialogues involve religious, cultural and local leaders who discuss issues that have arisen in their communities. One of the main areas of focus of these dialogues has been the situation of children born in captivity, who were often rejected by their family members and communities due in part to anti-social behaviours exhibited by these children. Through these dialogues, community members came to the understanding that the responsibility to reintegrate these children lies not only with the individual families, but with the community as a whole. This important recognition has led to community-wide engagements to provide these children with the necessary social and moral support that they need to successfully reintegrate and become productive members of their communities.

#### **5. Monitoring and Evaluation**

84. In connection with the Trust Fund's strategy to strengthen its implementing partners' capacity for monitoring & evaluation, programme design implementation and reporting, the Trust Fund conducted a capacity building workshop with implementing partners based in Uganda in July 2017. The objective of this workshop was to work with the implementing partners on the new indicators that were launched in June last year, focusing primarily on indicator definition and standardization.

85. As results, during this reporting period, implementing partners in Uganda collected programme information using new data collection tools in consistency with PMP indicators. Thus a lot of data has been made available to inform programming and has been used in the programme report for this year.

86. In regards to evaluation, the TFV plans to carry out an impact evaluation before the Uganda assistance programme closes. Depending on the procurement process that has started in June, data collection for this evaluation is anticipated in September 2018. Furthermore the TFV plans to also conduct baseline study for both Katanga and Lubanga reparations so as to inform reparation implementation as well as measure systematically their impact at later stages.

## **E. Organisational development**

87. From the final quarter of the 2017 onwards, it became apparent from proceedings in reparations cases that the organisational structure of the TFV would need to be strengthened. The Court's response to the TFV's proposed implementation plans required a more direct implementation role of the TFV in delivering individual and collective awards than was originally estimated. The intensity of being engaged in four concurrent reparations proceedings constituted a severe strain on the very modest legal capacity at the TFV Secretariat, both in regard of legal submissions and of developing and implementing activities in the field. This has led the TFV to reorient the relevant parts of its organisational structure and to mobilise additional capacity already in 2018, when and where needed.

88. In the meantime, the TFV has intensified recruitment efforts to provide the Secretariat with already foreseen capabilities in programme management, financial management, fundraising and administrative support. These efforts are bearing fruit in the second and third quarters of the year.

89. The experience and deeper insight gained in regard to the implementation phase of reparations in particular has led the TFV to strengthen the related organisational capacities in the proposed budget for 2019.

## **F. Audits**

### **6. External Audit**

90. The audit report for 2017 financial year contained one recommendation: 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 (i) the TFV have access to the victim identification software (VAMS) and that (ii) 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.).

## **G. Assistance provided by the Registry**

91. 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.

92. The Board wishes to note its particular appreciation for the valuable support and advice sought from and provided by the Registrar and his Office, including Field Offices, External Operations Support Section, Counsel Support Section, Public Information Section, VPRS, Budget & Finance Section, Procurement, Human Resources and SAP team among others. The Board wishes in particular to express its appreciation for the services and support provided in preparation and during the field visit to Georgia and joint-monitoring visit in Uganda as well as activities in Côte d'Ivoire for the preparation of the assistance programme, and reparations activities together with Legal Representatives of Victims in the DRC, and Mali.

### III. Financial Report

#### A. Status of voluntary contributions

93. 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 €2,717,701.51 contributions received from States; €13,063.06 from institutions and individuals (€13,010.09 in the TFV bank accounts, and €2.97 in the TFV PayPal account); €XXX in-kind and/or matching donations from implementing partner organizations from the period of 1 July 2017 – 30 June 2018; and €5,911.87 in interest income. The TFV Euro account showed a balance of €2,742.296.96, and the US Dollar account had a balance of \$69,201.11. In addition, the Trust Fund currently has two saving accounts of €5,000,000 and €6,827,144.78 as per 30 June 2018.

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

94. The Trust Fund's Euro account showed a balance of €2,742.296.96; the US Dollar account had a balance of \$69,201.11. In addition, the Trust Fund has two savings accounts of €5,000,000 and €6,827,144.78 as of 30 June 2018. 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>5</sup> The Secretariat reports on earmarked contributions separately in most cases, as this information is required by some of the donors.

95. The Trust Fund wishes to express its gratitude for the contributions received during this reporting period from 23 States Parties (€2,717,701.51), and private donations (€13,063.06) from individuals and institutions and from the Paypal account (€2.97).

96. In 2016, TFV entered a second three-year agreement (2016-2018) for unrestricted contributions with the government of Sweden, represented by the Swedish International Development Agency (Sida). In December 2017, Sweden contributed €99,740.07 as the second instalment of the agreement. This contribution reinforces Sida's strong support to the TFV as a vital institution working alongside the ICC to address the harm suffered by victims of the most serious international crimes. The TFV has been extremely grateful for Sweden's continued support throughout the years and contributions to date of over €7.2 million.

97. In 2017, the TFV signed a new four-year agreement (2017 – 2020) with the government of Finland for a total of €800,000. These contributions will be earmarked for supporting victims of sexual and gender-based violence. In December 2017, Finland contributed €200,000 as the first instalment of this agreement. The TFV is also extremely grateful for the previous three-year agreement from 2012 – 2015 with the government of Finland that was also earmarked to SGBV victims. Since 2004 the government of Finland has provided contributions of over €1.7 million to date.

98. The need to address the effects of the pervasive and widespread practice of sexual violence in conflict, which are felt at the individual, family and community levels, has also been recognized by other donors to the TFV, many of whom have been earmarking their voluntary contributions to the TFV for SGBV victims. During the reporting period, in addition to Finland's €200,000, the government of Japan also donated €52,754 and the government of Ireland contributed €50,000 earmarked for victims of sexual and gender based violence.

99. The Netherlands continued to be one of the Trust Funds' top supporters by contributing €200,000 in 2017 earmarked to *Katanga* reparations. €70,000 was earmarked for the individual award while €130,000 was earmarked to collective awards reparations in the *Katanga* case.

<sup>5</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 (ICC-ASP/4/32), part III.

100. Germany returned as a donor to the Trust Fund with a contribution of €300,000. The Trust Fund is very grateful for the government of Germany's generosity and its continued support.

101. Australia continued to support the Trust Fund's work with a €188,405.52 contribution during this reporting period. Australia has been one of the top supporters of the Trust Fund, providing over €1 million since 2010 to date.

102. The United Kingdom generously contributed €11,463.18 to the Trust Fund during the reporting period. This contribution has been used for further developing and supporting assistance projects in Uganda.

103. During the reporting period, four States Parties donated to the Trust Fund for the first time: Cyprus (€10,000), Georgia (€10,000), Portugal (€10,000), and Uruguay (€4,947). The Trust Fund greatly appreciates the support from each of these new contributing States Parties.

104. Furthermore, donations were also received from Belgium (€25,000), Czech Republic (€19,441.64), France (€50,000), Hungary (€10,000), Luxembourg (€50,000), Philippines (€4,049.99), Poland (€20,000), Republic of Korea (€41,600.11), Slovenia (€10,000), Spain (€30,000) and Switzerland (€30,000).

105. On 22 March 2017, Trial Chamber VII delivered its sentencing decision in the case of *Bemba et al*, in which it imposed, in addition to terms of imprisonment, fines totalling €330,000. Pursuant to article 79 (2) of the Statute, the €330,000 in fines, which are payable to the Court, are to be transferred to the Trust Fund. At the time of this report, the Trust Fund has not received the transfer of these fines. The transfer of fines and forfeitures from a convicted person as ordered by the Court is outside of the direct control of the Trust Fund. 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, and to intensify States Parties cooperation with the Court to this effect.

106. 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 Trust Fund. The Board, mindful of the great symbolic value of States Parties contributing to the Trust Fund's resources, is encouraging *all* States Parties to come to the support of the Trust Fund, within the possibilities 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 Trust 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.

107. The Trust Fund for Victims intends to raise €40 million in voluntary contributions and private donations by 2020, in order to implement reparations orders and assistance mandates to the benefit of victims in cases and situations before the Court.

108. The Board invites States Parties to respond to requests of the Trust Fund for Victims for earmarked contributions for the purposes of funding specific reparations awards, as well as of replenishing and strengthening the Trust Fund's general reparations reserve, and *expresses its appreciation* to those that have already done so.

109. The Board wishes to reiterate its calls for the States Parties to consider making earmarked voluntary contributions to the Trust Fund for the benefit of victims of sexual and gender-based violence, and *expresses its appreciation* to those that have already done so.

#### **IV. Proposed budget for 2018 (MP VI)**

110. In accordance with resolution ICC-ASP/4/Res.3, the Board prepared the 2019 proposed budget for the Secretariat, as Major Programme VI in the Court's Budget, established pursuant to resolution ICC-ASP/3/Res.7. Pursuant to TFV Regulation 77(a), the Board submits the proposed budget for the Secretariat for review by the Committee on Budget and Finance.

111. The Board is fully aware of the constraints that the Court's budget continues to face. 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 and expansions of assistance mandate's programme to other situation countries.

112. The TFV proposed 2019 budget amounts to €4,027.9 thousand, which represents an increase of €1,486.4 thousand or 58.5 per cent from the 2018 approved budget.

113. The proposed increase relates predominantly to staff costs and is attributable to the organizational capacity of the TFV to meet its rapidly expanding and intensifying responsibilities during the implementation phase of reparations proceedings.

114. The TFV's 2019 proposed budget continues to build on the new structure of the TFV Secretariat, aiming to strengthen the Secretariat in three critical areas: financial-administrative as well as legal capacity in The Hague, and on-site programme management and reparations. The structure is informed by the TFV's understanding of the evolving organisational capacity needs to sustain the development and implementation of Court-ordered reparations awards in an increasing number of cases in 2019, as well as the expansion of assistance mandate activities to other situation countries from 2019 onwards.

115. The TFV remains dedicated to continuously exploring synergies with the Registry and other organs of the Court in response to staffing needs.

## Annex I

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

1. The Fund received the following voluntary contributions from States during the period from 1 July 2017 to 30 June 2018:

<i>Contribution from States</i>	<i>Euros (€)</i>
Australia	188,405.52
Belgium	25,000.00
Cyprus	10,000.00
Czech Republic	19,441.64
Finland	200,000.00
France	50,000.00
Georgia	10,000.00
Germany	300,000.00
Hungary	10,000.00
Ireland	140,300.00
Japan	52,754.00
Luxembourg	50,000.00
Netherlands	200,000.00
Philippines	4,049.99
Poland	20,000.00
Portugal	10,000.00
Republic of Korea	41,600.11
Slovenia	10,000.00
Spain	30,000.00
Sweden	999,740.07
Switzerland	30,000.00
United Kingdom	311,463.18
Uruguay	4,947.00
<b>Total States' contributions</b>	<b>2,717,701.51</b>

2. In addition to the above-mentioned contributions from States, the Fund received during the period from 1 July 2017 to 30 June 2018:

- (a) €13,765.09 in cash contributions from individuals and institutions;
- (b) €86,894.08 in-kind and/or matching donations from implementing partners from the period of 1 July 2017 – 31 March 2018 (details in annex II); and
- (c) €5,911.87 interest income;
- (d) €5,112.66 in cash contributions from individuals and institutions through PayPal for the period of 1 July 2017- 30 June 2018.

## B. List of voluntary contributions per bank accounts

### B.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 2017 to 30 June 2018:

<i>Details</i>	<i>Euros (€)</i>
Opening balance	999,329.98
Contributions from individuals and institutions	13,129.09
Contributions from individuals and institutions - PayPal	5,112.66
Contributions from States	2,667,104.41
Grant / project payments –Assistance Mandate	(1,098,452.32)
Payments – Reparations Mandate	(86,081.17)
Refund unused project funds	0.00
Transfer from checking to savings account	0.00
Transfer from savings to checking account	0.00
Interest income	2,500
Bank charges	(381.07)
<b>Balance as at 30 June 2018</b>	<b>2,502,261.58</b>

<i>Contributions from individuals and institutions by month</i>	<i>Euros (€)</i>
July 2017	100.00
August 2017	1,550.00
September 2017	622.96
October 2017	600.00
November 2017	4,550.00
December 2017	229.00
January 2018	1,362.14
February 2018	769.00
March 2018	887.35
April 2018	719.00
May 2018	719.00
June 2018	1,020.64
<b>Total</b>	<b>13,129.09</b>

<i>Contributions from States by month</i>	<i>Euros (€)</i>
July 2017	25,000.00
August 2017	0.00
September 2017	0.00
October 2017	10,000.00
November 2017	847,466.64
December 2017	1,442,494.07
January 2018	60,000.00
February 2018	0.00
March 2018	65,300.00
April 2018	28,438.18
May 2018	0.00
June 2018	188,405.52
<b>Total</b>	<b>2,667,104.41</b>

**B.2. ABN AMRO (in €)**

Bank Name: ABN AMRO  
 Account Holder: Trust Fund for Victims Business Top Deposit Account  
 Currency: Euro (€)  
 Account Number: 53.84.73.843

**Bank details, including bank transfers from 1 July 2017 to 30 June 2018:**

<i>Details</i>	<i>Euros (€)</i>
Opening balance	5,000,000.00
Transfer from checking to savings account	0.00
Transfer from savings to checking account	0.00
Transfer from savings to New notice deposit account	0.00
<b>Balance as at 30 June 2018</b>	<b>5,000,000.00</b>

**B3. BCEE Savings Account**

Bank Name: Banque et Caisse d' Epargne de L'Etat (BCEE)  
 Account Holder: Trust Fund for Victims Time Deposit Account  
 Currency: EUR (€)  
 Account Number: LU87 0019 4555 8262 4000

**Bank details, including bank transfers from 1 July 2017 to 30 June 2018:**

<i>Details</i>	<i>Euros (€)</i>
Opening balance	6,823,748.41
Interest income	3,411.87
Transfer from checking to savings account	0.00
Transfer from savings to checking account	0.00
Bank Charges	(15.50)
<b>Balance as at 30 June 2018</b>	<b>6,827,144.78</b>

**B.4. 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 2017 to 30 June 2018:**

<i>Details</i>	<i>US\$</i>
Opening balance	19,355.83
Contributions from individuals and institutions	750.00
Contributions from States	61,000.00
Grant / project payments	(20,410.00)
Refund unused project funds	23,077.97
Interest income	0.00
Bank charges	(29.46)
<b>Balance as at 30 June 2018</b>	<b>83,744.34</b>

<i>Contributions from individuals and institutions by month</i>	<i>US Dollars (US\$)</i>	<i>Contributions from States by month</i>	<i>US Dollars (US\$)</i>
July 2017	0.00	July 2017	0.00
August 2017	0.00	August 2017	0.00
September 2017	0.00	September 2017	50,000.00
October 2017	0.00	October 2017	0.00
November 2017	0.00	November 2017	0.00
December 2017	0.00	December 2017	3,000.00
January 2018	0.00	January 2018	0.00
February 2018	0.00	February 2018	3,000.00
March 2018	0.00	March 2018	0.00
April 2018	0.00	April 2018	5,000.00
May 2018	0.00	May 2018	0.00
June 2018	750.00	June 2018	0.00
<b>Total</b>	<b>750.00</b>	<b>Total</b>	<b>61,000.00</b>

## Annex II

### TFV projects during the period 1 July 2017 to 30 June 2018

#### Northern Uganda

##### Assistance Mandate

**Project(s):** TFV/UG/2007/R1/014(c)

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

**Budget:** UGX 1,863,92,518 and USD 1,630,905

**Matching funds by implementing partner:** €12,590.18\*\*

**Duration:** October 2009 – November 2018

**Type of victim and intervention:** Psychological rehabilitation for victimized communities by addressing their mental health needs

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

**Project title:** *Capacity Building, Advocacy and Medical Rehabilitation of Northern Uganda's Victims of War*

**Budget:** €1,444,932

**Matching funds by implementing partner:** €0.00\*

**Duration:** October 2009 – November 2018

**Type of victim and intervention:** Physical (provision of orthotics and prosthetics) and psychological rehabilitations, material support for physically disabled victims of war

**Project(s):** TFV/UG/2007/R1/016

**Project title:** *Provision of integrated Physical and Psychological Rehabilitation Assistance to War Victims in Northern Uganda*

**Budget:** €300,000

**Matching funds by implementing partner:** €0.00\*

**Duration:** April 2015 – October 2018

**Type of victim and intervention:** Physical and psychological rehabilitation, and material support

**Project(s):** TFV/UG/2007/R1/014(a)

**Project title:** *Integrated physical and psychological rehabilitation support to victims project*

**Budget:** €300,000

**Matching funds by implementing partner:** €1,469.15\*

**Duration:** April 2015 – October 2018

**Type of victim and intervention:** Physical and psychological rehabilitation

**Project(s):** TFV/UG/2007/R1/014(b)

**Project title:** *Health and Dignity restoration of War Victims in Northern Uganda*

**Budget:** €300,000

**Matching funds by implementing partner:** €41,020.00\*

**Duration:** April 2015 – October 2018

**Type of victim and intervention:** Physical and psychological rehabilitation

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**Project(s):** TFV/UG/2007/R1/023

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**Project title:** *Centre for expertise in psychosocial well-being of war affected children*

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**Budget:** €90,000

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**Matching funds by implementing partner:** n/a

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**Duration:** April 2015 – October 2018

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**Type of victim and intervention:** Psychological rehabilitation

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**Project(s):** TFV/UG/2007/R1/035

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**Project title:** Comprehensive Medical and psychosocial support for the war victims

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**Budget:** €90,000

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**Matching funds by implementing partner:** n/a

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**Duration:** April 2015 – October 2018

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**Type of victim and intervention:** Physical and psychological rehabilitation

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**Project(s):** TFV/UG/2007/R2/041

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**Project title:** *Integrated Physical and Psychosocial Rehabilitation Assistance for Victims in Northern Uganda*

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**Budget:** €300,000

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**Matching funds by implementing partner:** €2,455.93\*

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**Duration:** April 2015 – October 2018

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**Type of victim and intervention:** Physical and psychological rehabilitation

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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 the period from 1 July 2017 to 31 March 2018, unless otherwise indicated.

\*\*The exchange rate for 30 June 2018 (1 EUR= 0.864 USD) was used to calculate the values.

## Democratic Republic of the Congo

### Reparations Mandate – Lubanga case

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**Project(s):** TFV/DRC/2016/LUB/001

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**Project title:** Identification et évaluation des préjudices psychologiques, physiques et socio-économiques des jeunes ayant participé dans les groupes armés de 2002-2003 en Ituri.

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**Budget:** \$112,000\*

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**Matching funds by implementing partner:** €1,072

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**Duration:** April – December 2017

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**Type of victim and intervention:** The project concerns former child soldiers, as victims of crimes occurring between 2002 and 2003 in Ituri for which Mr Thomas Lubanga has been convicted by the ICC. In preparation of the implementation of Court-ordered reparations, the project is to identify direct and indirect victims potentially eligible for collective reparations awards to evaluate the scope of their psychological, physical and socio-economic harm.

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**\*Note:** Please note that the final amount used for this project was \$ 88,922.03 and the remaining unused funds (\$ 23,077.97) have been returned to TFV by the implementing partner.

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