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Report on participation of and reparations to victims

1. At its First Session held in August 2003, the Committee on Budget and Finance recommended that the International Criminal Court (“the Court”) provide a separate report to the Assembly of States Parties (“the Assembly”), through the Committee on its plans for participation of and reparations to victims (ICC-ASP/2/7). The report should clearly delineate resources dedicated to such reparations work, and the administrative costs of assistance to the Victims Trust Fund.

Overview of the Court’s activities with regard to victims’ participation and reparations

2. The Victims Participation and Reparations Section (VPRS) has followed a pragmatic approach in developing short- and medium-term projects aimed at improving the capacity of the Court to support the rights of victims as set forth in the Rome Statute and the Rules of Procedure and Evidence. Several meetings have been organized at Court level and an inter-organ working group has been set up, allowing constructive exchanges of views and contributing to consensus -building. Extensive research has been conducted in various areas concerning the rights of victims, including the role of victims in national legal systems, issues of legal representation, and reparations. The findings have proved to be of value to the VPRS in the process of designing mechanisms and policies to be included in the draft Regulations for the Registry.

Public information and outreach campaigns to victims

3. The VPRS is responsible for the content and implementation of the victims’ outreach campaigns. It also advises the Public Information and Documentation Section of the Registry on the preparation of victim-related materials as part of the ICC’s general programme of outreach and communications .

Informational materials

4. Informational materials have been prepared about victims’ rights and how victims should access the VPRS. The content of the informational materials reflects a variety of inputs received by the Section from a wide array of experts who have participated in seminars and public consultations organized by the Court.
5. The aim of the materials is to facilitate the realization of the participation and reparation rights afforded to victims by providing accessible and comprehensive information regarding these rights. These materials help to manage expectations among victims, to indicate further sources of support and assistance, to address questions and to clear up misconceptions. In addition, the documents respond to the particular needs of victims (e.g. in cases where the victim is a child, has been the victim of a crime of sexual violence or torture, or has suffered the loss or disappearance of a loved one).

6. These informational materials are:
 - **Standard application forms** which will be used to contact and solicit information from victims applying for participation and requesting reparation;
 - **An informational booklet** accompanying the application forms and explaining the rights of victims before the Court (to be consulted by victims before filling in the standard application forms);
 - **A manual** for lawyers, civil society organizations and academic institutions to provide clear guidance on ICC proceedings;
 - **Training materials** and programmes (in the process of being developed).
7. Strategies are being prepared to ensure that the materials are disseminated effectively. They consist of a range of dissemination tools, including but not limited to public announcements; conferences and workshops; web sites; posters; brochures; print advertisements; radio and TV spots and fact sheets.. The VPRS will also continue to build relationships with a variety of organizations in different regions and seek their cooperation with a view to avoiding duplication and taking advantage of existing experience. The VPRS will organize regional conferences on victim-related issues in Africa, Asia and Latin America.

Participation, reparations and protection

8. The VPRS is developing a secure application management and processing system to assist the Court in organizing victims' claims for participation and reparation. This system will enable the VPRS to prepare reports detailing the applications for the relevant Chambers in an efficient and expeditious manner.
9. In coordination with the Victims and Witnesses Unit, Court Management Section and the Information Technology and Communications Section, the VPRS is currently developing secure databases to manage information relating to victims' claims. To ensure that any communications between the Court and victims take place in consideration of all requisite protective measures, including the confidentiality of information, the VPRS is developing a series of guidelines based on lessons learned and good practices. The VPRS has also spearheaded efforts to foster coordination among the organs of the Court on victim-related issues, and is developing policies for that purpose.
10. In order to ensure that the obligations of the Registry as set forth in the Rome Statute and the Rules of Procedure and Evidence (in particular rule 16.2.b and rule 90.5) are respected, it is envisaged to request limited resources for legal assistance for victims such as the creation of the Office of Public Counsel and a budget of €310,000 . This will enable the victims in the two cases anticipated by the Prosecutor to receive, at a very modest level, the necessary legal assistance. It is also through legal assistance, that the protection of victims can be ensured.
11. In coordination with the VPRS, the Defence Support Section has developed a list of counsel in order to provide an equal standard for defence and victims' counsel.

Victims Trust Fund

12. This year the VPRS is charged, until the Trust Fund has its own support structures in place, with assisting the members of the Board of Directors of the Victims Trust Fund . The Section has undertaken a wide range of activities in compliance with paragraph 5 of resolution ICC-ASP/1/6. An Expert Meeting was held on 18-19 February 2004 to review the document entitled *The Organization and Management of the Trust Fund for Victims*, prepared by VPRS. The comments of the experts were included in the final version, which was discussed at the first meeting of the Board of Directors held from 20 to 22 April 2004 at the seat of the Court. During the meeting, the members of the Board reviewed the draft Regulations and took important decisions concerning the future functioning of the Victims Trust Fund. They agreed, among other things, that there is a need to establish a Secretariat for the Fund. Although the Registry does not have sufficient personnel to provide services for the Board, the Head of the Division of Victims and Counsel has been given the task of assisting the Board and its Chairperson during its initial phase.

13. The Board of Directors will submit the draft Regulations for the Victims Trust Fund and the Secretariat budget to the Assembly of States Parties at its forthcoming meeting (6-10 September 2004).

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