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**Report to the Assembly of States Parties on the activities and projects  
of the Board of Directors of the Trust Fund for Victims  
for the period 1 July 2006 to 30 June 2007**

1. The present report is submitted in accordance with paragraph 11 of the annex to the resolution adopted by the Assembly of States Parties (ICC-ASP/1/Res.6), which provides that “the Board shall report annually to the Assembly of States Parties on the activities and projects of the Trust Fund and on all offered voluntary contributions, regardless of whether they were accepted or refused”. This reporting requirement by the Board of Directors is also provided for in regulation 76 of the Regulations of the Trust Fund for Victims, which 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”.

2. The present report describes the activities and projects of the Board of Directors during the year. It also analyses the financial report on the year and the proposed budget of the Board for 2008, and contains information on the appointment of a replacement to fill the vacant post on the Board created by the resignation of Her Majesty Queen Rania Al-Abdullah, as well as the new composition of the Board following the election of members at the fifth session of the Assembly of States Parties.

**I. Activities and projects**

**Establishment of the Secretariat**

3. The Secretariat of the Trust Fund for Victims was established during the year just concluded, beginning with the appointment of its Executive Director in the autumn of 2006 and his assumption of duties on 31 January 2007.

**Activities of the Secretariat**

4. Based on the priorities and guidelines established by the Board, the first activities undertaken by the Secretariat commenced with the completion of the job descriptions for the posts to be filled and their immediate transmittal to the Human Resources Section of the Court for classification and posting.

5. The second priority of the Secretariat was to develop programme and financial frameworks, which were both endorsed by the Board in June. These two documents defined the criteria for the acceptance of projects and voluntary contributions.

6. The third area of focus for the Secretariat was to clearly identify areas of potential action by the Fund in the Democratic Republic of the Congo and in Uganda, which also helped to facilitate contacts with a number of local and international partners currently working in those areas or planning to become involved there. This exercise also made it possible for the Fund and its partners to develop 36 potential projects in the Democratic Republic of the Congo and Uganda, which were subject to a preliminary review by the Board in June 2007, after which they were finalized and gradually launched as staff continued to be recruited for the Secretariat.

7. The fourth area of focus was the strengthening of ties between the Fund and its partners, particularly with States Parties or States that have not yet ratified the Rome Statute but have expressed interest in the Statute or in the activities of the Fund. To this end, multilateral meetings were held with the Friends of the International Criminal Court in The Hague and in New York, in addition to bilateral discussions with a number of States Parties. The Secretariat also held consultations with numerous non-governmental organizations (NGOs) or NGO associations in The Hague, Paris, London and New York, as well as in Uganda and the Democratic Republic of the Congo. A preliminary approach was made to the various private foundations and humanitarian organizations that have expressed possible interest in supporting the activities of the Fund in the future. Lastly, both to facilitate the development of these relationships of support for the Fund and to enable the Fund to better discharge its mandate of advocacy on behalf of victims, a communication strategy was developed, including an in-depth reconfiguration of the Fund's web site and the regular production of communication material targeted at its partners. This effort is expected to be completed by the end of 2007.

#### **Fund-raising efforts by the Board of Directors**

8. In accordance with paragraph 4 of resolution ICC-ASP/4/Res.3, paragraphs 8, 9, 10 and 11 of the annex to resolution ICC-ASP/1/Res.6, and the Regulations of the Trust Fund for Victims, the members of the Board continued their efforts to secure voluntary contributions to the Trust Fund for Victims.

#### **Other fund-raising efforts by the Secretariat**

9. During the first phase of its activities, the Secretariat sought to define and implement a financial framework that would enable it to effectively monitor the source of funds received by the Fund, with the help of the computerized data resources of the Court and its Controller, and to develop mechanisms for reporting to States Parties, in accordance with the criteria that have been established, particularly in 2006.

10. With these mechanisms in place, the Fund proceeded to develop a fund-raising strategy based on the needs of victims in areas over which it has jurisdiction. To this end, a plan of action covering the next three years has been developed based on multiple sources of funding, ensured by States, charitable foundations and organizations, as well as donations by individuals.

11. During the consultations on fund-raising methods, the Board of Directors felt it necessary to propose an amendment to regulation 27 of the Regulations of the Fund in order to permit the Board and the Secretariat to solicit funds for addressing the specific and urgent

needs of certain groups of victims. This proposed amendment is contained in annex B to the present document.

12. At present, the fund-raising campaign has just begun with an increasing number of meetings with representatives of States, foundations and other entities, as well as with an outreach campaign (Internet and multilateral or bilateral meetings).

13. A list of voluntary contributions is contained in annex A to the present report.

### **Third annual meeting of members of the Board of Directors**

14. The third annual meeting of members of the Board was held on 5 and 6 November 2006, in The Hague, Netherlands. All members of the Board participated in the meeting: Ms. Simone Veil, former minister, President of the Board of Directors, Mr. Tadeusz Mazowiecki, Mr. Arthur N.R. Robinson, and Archbishop Desmond Tutu.

15. On the first day of the meeting, an expert made a presentation to the members of the Board on the needs of victims in Darfur, the Democratic Republic of the Congo and Uganda, as well as on current humanitarian aid efforts. Members of the Board were unanimous as to the importance of voluntary contributions when the Board deemed it necessary to provide physical or psychological rehabilitation or material assistance for victims of crimes within the jurisdiction of the Court. Members also agreed to place emphasis on projects addressing the needs of the most vulnerable and marginalized victims and symbolically reflecting the actions of the Fund on behalf of victims.

16. Also during the two-day meeting, members discussed financial and budgetary issues as well as matters related to fund-raising and voluntary contributions. On the subject of the establishment of the Secretariat of the Fund and activities and projects for the year 2007, the members of the Board decided to request the Secretariat to draft a declaration on the aims and activities of the Trust Fund for Victims for all situations in which the Fund has the authority to act, and to prepare a list of criteria by which the Board of Directors should accept or refuse contributions.

### **Assistance provided by the Registry**

17. In accordance with paragraph 5 of the annex to resolution ICC-ASP/1/Res.6, paragraph 91 of the budget for the first financial period of the Court (ICC-ASP/1/3), paragraphs 284, 290 and 292 of the programme budget for 2004 (ICC-ASP/2/10) and paragraph 451 of the programme budget for 2005 (ICC-ASP/3/25), the Registry continued to provide administrative assistance to the Trust Fund for Victims.

18. This assistance was provided, inter alia, by the Victim Participation and Reparations Section, especially in organizing the third annual meeting of the Board of Directors and in the transition towards the full establishment of the Secretariat of the Fund, as well as by the Budget and Finance Section, the Human Resources Section and the Information and Communication Technologies Section.

19. The Registry provided valuable support to the Board of Directors, particularly during the transition period preceding the full establishment of the Secretariat, and at the time of the appointment of its Executive Director in January 2007. Now that the Secretariat is operational, it is important for this new organ to show the independence desired by States Parties for the Fund. To this end, we propose an amendment to article 19 of the Regulations of the Fund to indicate that the advisory role of the Registry is a contingency rather than an obligation. This proposed amendment is contained in annex B to the present document.

## II. Financial report

### Status of voluntary contributions

20. In accordance with paragraph 11 of the annex to resolution ICC-ASP/1/Res.6, which provides that “all offered voluntary contributions, regardless of whether they were accepted or refused” should be reported annually to the Assembly of States Parties, a list of voluntary contributions is contained in annex A to the present report.

21. The list includes the contributions received from States, from various national and international institutions, judges and staff members of the Court, as well as from private individuals.

22. The two bank accounts of the Trust Fund for Victims, one in the United States of America and the other in the Netherlands, were kept open during the period from 1 July 2006 to 30 June 2007. As at 30 June 2007, the balances in these accounts were, respectively, US\$ 18,631.59<sup>1</sup> and €298,261.92 (*plus a term deposit of €2,300,000.00 that had not yet matured*). *The total balance was €2,612,049.31 as at 30 June 2007.*

23. The members of the Board wish to express their gratitude for the contributions received during the period covered by the present annual report and urge States Parties to continue to contribute to the Trust Fund. There is particular need for such contributions during the current start-up phase of activities in support of victims in Uganda and the Democratic Republic of the Congo, and soon in the Central African Republic.

### External audit

24. Pursuant to resolution ICC-ASP/3/Res.7, of 6 July 2005, the Chair of the Board designated the National Audit Office of the United Kingdom of Great Britain and Northern Ireland to conduct the external audit for the year ending 31 December 2005. This decision was approved by the members of the Board of Directors at the second annual meeting of the Board. By letter dated 26 December 2005, the Chair of the Board informed the National Audit Office of her decision to entrust to it the external audit for the years 2005 and 2006.

25. On 25 July 2006, the National Audit Office submitted to the Board of Directors of the Trust Fund for Victims the auditor’s report containing the financial statements of the Fund for the period ending 31 December 2005, in document ICC-ASP/5/3 entitled “Trust Fund for Victims - financial statements for the period 1 January to 31 December 2005”.

26. As indicated in paragraph 2 of the report, the audit examination revealed no weaknesses or errors material to the accuracy, completeness and validity of the financial statements as a whole and the National Audit Office has therefore issued “an unqualified audit opinion on the Fund’s Financial Statements for the year ended 31 December 2005”.

27. Among its principal recommendations, the National Audit Office noted in paragraph 5 of the report that the Fund has “an appropriate level of internal control over donated income and that such income is properly accounted for and that donors are clearly identifiable”.

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<sup>1</sup> €13,787.39, with a rate of exchange on 1 July 2007 of: 1 euro = 1.33135 United States dollars.

28. The report contains only one recommendation by the National Audit Office, in paragraph 10:

**“Recommendation 1:**

We recommend that the Fund’s cash investments be kept under regular review and that investment risks are actively managed.”

29. In this connection, it should be mentioned that as part of the assistance which it provides to the Board, the Registry, through the Budget and Finance Section, keeps under regular review the investment of sums received by the Fund and makes recommendations, where appropriate, particularly recommendations on the placement of funds in accounts attracting high rates of interest.

30. At its third annual meeting, held on 5 and 6 November 2006, the Board of Directors of the Trust Fund for Victims designated the National Audit Office to conduct the external audit for the years 2007 to 2011.

### **III. Proposed budget for 2008**

31. In accordance with paragraph 3 of resolution ICC-ASP/4/Res.3, the Board of Directors prepared a budget proposal for 2008 for the Secretariat of the Trust Fund for Victims, which was established pursuant to resolution ICC-ASP/3/Res.7. The proposed budget is submitted annually to the Assembly of States Parties for approval, in accordance with paragraph 6 of the annex to resolution ICC-ASP/1/Res.6.

32. In 2008 the Fund will become fully operational, in particular in those countries where projects for the benefit of victims are being or will be undertaken. This is why the budget proposal for 2008 provides for increases in the cost of staff and travel, two items that are essential for the effective and sustained implementation of projects through an effective presence among the victims. These increases, though modest, will make it possible to provide technical support to our partners in the field, to ensure better coordination of activities, and to provide close financial and physical oversight of the implementation of projects.

33. With regard to staff, the principal change proposed in comparison with the structure initially envisaged for the Secretariat reflects the focus on the field sought by the Board of Directors and by many victims’ groups. We propose that the funding originally requested for a P-2 post of Assistant Legal Officer should now be reassigned to the P-3 post of the Programme Officer currently based in Kampala, Uganda, from where he will cover the region. Separate funding will be sought for the P-2 post, possibly under an arrangement for secondment from the Government of one of the States Parties.

34. The incumbents of these posts will be supported by temporary assistance personnel working mainly on the logistical and administrative aspects of the establishment of the Fund both in The Hague and in the field, particularly on evaluation and follow-up systems, in conformity with the requests of States Parties for reports to be submitted and with the operational needs of the Secretariat.

#### **IV. Post left vacant by Her Majesty Queen Rania Al-Abdullah, former member of the Board of Directors of the Trust Fund for Victims and election of members of the Board of Directors for the period 2006-2009**

35. In accordance with paragraph 2 of the annex to resolution ICC-ASP/1/Res.6, members of the Board of Directors are elected for a term of three years and may be re-elected once. At its 15<sup>th</sup> meeting, held on 16 May 2006, and in accordance with resolution ICC-ASP/1/Res.7, which sets out the procedure for the nomination and election of members of the Board of Directors of the Fund, the Bureau of the Assembly of States Parties decided that the period for the nomination of candidates for the second election of members of the Board of Directors will begin on 5 June and end on 27 August 2006.

36. In August 2006, Her Majesty Queen Rania Al-Abdullah submitted her resignation as a member of the Board representing the Group of Asian States.

37. Since at the end of this period the conditions for the nomination of candidates for the election of members of the Board of Directors had not yet been met, in accordance with paragraph 4 of resolution ICC-ASP/1/Res.7 the Bureau of the Assembly extended the nomination period to 19 November 2006. By this date, no candidates had been nominated by the Group of Asian States.

38. At the 6<sup>th</sup> meeting of its fifth session, held on 30 November 2006, the Assembly elected four members of the Board of Directors of the Trust Fund for Victims, as follows:

Archbishop Desmond Tutu (South Africa)

Mr. Tadeusz Mazowiecki (Poland)

Mr. Arthur N.R. Robinson (Trinidad and Tobago)

Ms. Simone Veil (France).

39. At its 6<sup>th</sup> meeting, the Assembly of States Parties also decided to postpone the election of the representative of the Group of Asian States until its resumed fifth session and the Bureau decided that the nomination period would begin on 1 January and end on 28 January 2007.

40. Finally, at its 9<sup>th</sup> meeting, held on 1 February 2007, the Assembly of States Parties elected Mr. Bulgaa Altangerel (Mongolia) as the fifth member of the Board of Directors of the Fund.

## Annex A

### List of voluntary contributions

#### I. Account JP Morgan Chase Bank

ICC Victims Trust Fund  
JP Morgan Chase Bank  
New York (USA)  
Account No: 400932776  
ABA Routing No: 0002  
Swift Code: CHASUS33  
Fed Wire Number: 021000021

#### Breakdown of the JP Morgan Chase Bank account for the period from 1 July 2006 to 30 June 2007:

<b>Breakdown of the bank account</b>	<b>Total (US\$)</b>
Balance as at 1 July 2006	18,631.59
Subtotal (US \$)	18,631.59
Bank charges	0.00
Interest (matured term deposits)	0.00
Term deposits not yet matured	0.00
<b>Total (US\$)</b>	<b>18,631.59</b>

During the period from 1 July 2006 to 30 June 2007, no new contributions were deposited in the JP Morgan Chase Bank account owing to the temporary suspension of the collection of contributions organized by "Citizens for Global Solutions".

**II. Account Fortis Bank**

ICC Victims Trust Fund  
 Fortis Bank  
 The Hague (Netherlands)  
 Account No: 240005201  
 IBAN: NL39FTSB0240005201  
 Swift Code: FTSBNL2R

**Contributions deposited in euros with the Fortis Bank from 1 July 2006 to 30 June 2007:**

<b>Contributions from individuals and institutions by month</b>	<b>Total (euros)</b>
July 2006	6,253.20
August 2006	9,094.80
September 2006	187.50
October 2006	845.00
November 2006	4,464.94
December 2006	-2,623.20
January 2007	780.00
February 2007	674.00
March 2007	2,475.08
April 2007	200.00
May 2007	1,190.00
June 2007	590.00
<b>Subtotal contributions from individuals and institutions</b>	<b>24,131.32</b>

<b>Contributions from States by month</b>	<b>Total (euros)</b>
July 2006	0.0
August 2006	299,932.00
September 2006	0.0
October 2006	223,475.00
November 2006	10,000.00
December 2006	422,509.20
January 2007	75,000.00
February 2007	50,000.00
March 2007	14,038.99
April 2007	0.0
May 2007	0.0
June 2007	6,000.25
<b>Subtotal contributions from States</b>	<b>1,100,955.44</b>

**Breakdown of the account at Fortis Bank from 1 July 2006 to 30 June 2007:**

<b>Breakdown of the bank account</b>	<b>Total (euros)</b>
Opening balance	1,434,744.56
Subtotal contributions from individuals and institutions	24,131.32
Subtotal contributions from States	1,100,955.44
Interest	38,472.53
Less bank charges	-41.93
<b>Subtotal (euros)</b>	<b>2,598,261.92</b>
<b>Less: term deposits</b>	<b>-2,337,916.67</b>
<b>Term deposits not yet matured<sup>2</sup></b>	<b>2,337,916.67</b>
<b>Total</b>	<b>2,598,261.92</b>

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<sup>2</sup> Bank holding term deposit Fortis Bank

Sum invested	€2,037,916.67
Purchase date	18 June 2007
Maturity date	17 June 2008
Term	12 months
Interest rate	4.47%
Expected interest yield	€92,360.08

Bank holding term deposit Fortis Bank	
Sum invested	€300,000.00
Purchase date	18 June 2007
Maturity date	18 September 2007
Term	3 months
Interest rate	4.11%
Expected interest yield	€3,151.00

### List of contributions

The following contributions to the Trust Fund for Victims were made by States from 1 July 2006 to 30 June 2007:

States		Amount	Number of contributions
Belgium		€175,000.00	2
France		€50,000.00	1
Germany		€300,000.00	1
Ireland		€100,000.00	1
Liechtenstein		€14,038.99	2
Netherlands		€100,000.00	1
Poland		€10,000.00	1
Slovenia		€7,509.20	1
Spain		€50,000.00	1
Sweden		€215,000.00	1
United Kingdom		€73,525.00	1

The following contributions to the Trust Fund for Victims were made by institutions from 1 July 2006 to 30 June 2007:

Institutions
Association of Students in Political Science, Institute of Political Studies of Paris
Friends of the Trust Fund for Victims - ICC
International School of Luxembourg
Justitia Pax Nederland
T.M.C. Asser Institute
University of Leiden
University of Pacific/G. Salzburg

The following contributions to the Trust Fund for Victims were made by individuals from 1 July 2006 to 30 June 2007:

Individuals
Abtabi, Hiram
Beresford, David Vincent
Chamberlain Bolaños, Silvia
Kaul, Hans-Peter
Kuenyehia, Akua
Mateos Peña, Iban
McLoughlin, Olive
Mwangi, Susan
Nicolle, Patrick
Odio-Benito, Elizabeth
Perdrix, Agnès
Politi, Mauro

Preira, Didier
Saric-Alexander, Jadranka
Tutu, Desmond
Vaatainen, Simo

## Annex B

### Proposed amendments to regulations 19 and 27 of the Regulations of the Trust Fund for Victims

#### A. Amendment to regulation 19

The proposed amendment to regulation 19 is a natural consequence of the filling of the Executive Director's post as Head of the Secretariat of the Trust Fund for Victims and aims at facilitating the Secretariat's basic daily decision-making processes, while maintaining the availability of the Registry in fulfilling its role as a resource for the Trust Fund.

The revised text shall therefore read as follows, with the changes indicated in **bold**:

"19. Bearing in mind the independence of the Secretariat, it shall consult the Registrar, **as needed**, on all administrative and legal matters for which it receives the assistance of the Registry."

#### B. Amendment to regulation 27

This amendment arises from the finding by the Secretariat of a number of groups of victims with particular needs that have generated interest from individual donors who are currently unable to fund such needs because of the broad wording of the restrictions provided for in the first part of regulation 27. We therefore propose that States Parties allow more flexibility to the Board of Directors and the Secretariat in accepting such funds if they are solicited at the initiative of the Trust Fund, so long as all the criteria already defined in regulation 27 (a) and (b) are fulfilled.

The proposed changes to regulation 27 are indicated in **bold**:

"27. Voluntary contributions from governments shall not be earmarked. Voluntary contributions from other sources may be earmarked by the donor for up to one third of the contribution for a Trust Fund activity or project, so long as the allocation, as requested by the donor, **fulfils the criteria listed in (a) and (b) of this regulation. The above restrictions should, however, be waived when the funds have been raised at the initiative of the members of the Board of Directors and/or the Executive Director, and while in full compliance with the following:**

- (a) benefits victims as defined in rule 85 of the Rules of Procedure and Evidence, and, where natural persons are concerned, their families;
- (b) would not result in discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national, ethnic or other origin, property, birth or other status, provided that contributions aimed at assisting those enjoying specific protection under international law should not be considered to be discriminatory."