

Minou Tavarez Mirabal,
Chair of the Board of Directors of the Trust Fund for Victims

*Statement at the opening of the 21st Session of the Assembly of States Parties
to the Rome Statute of the International Criminal Court
December 2022*

Madam President of the Assembly of the States Parties,
ICC President,
Mr Prosecutor,
Mr Registrar
Honourable Ministers,
Esteemed delegates of States and representatives of civil society,
Ladies and Gentlemen:

It is my honour to address today the Assembly of States Parties for the first time as Chair of the Board of Directors of the Trust Fund for Victims (TFV). Since the appointment of the current Board of Directors at the 20th session of the Assembly last year, we have had an intense year of activities both at the directive and strategic level as Board, as well as operationally in what concerns the activities of the TFV. Our work has been driven by our commitment to ensure that the Trust Fund for Victim's activities reach as many victims as possible.

Being a trust fund, our first and foremost obligation is to raise the financial resources to deliver our programmes, both assistance and reparations. To date, this year the Trust Fund for Victims has received almost EUR 1.5 million in voluntary contributions. Since its establishment, 50 States Parties have provided voluntary contribution to the Trust Fund for Victims. I thank in particular those States that have made contributions or pledges for contributions this year, as well as those who have even doubled their pledge.

Your Excellencies, the Board of Directors calls upon each of the States Parties to contribute to the Trust Fund for Victim's programme activities annually even if in a symbolic manner. At the same time substantive funding is urgently required, in particular for the purposes of the Lubanga programme's extension into a third contractual year, which requires an additional USD 2 million. I call on you to consider providing additional donations, which given the nature of our activities may originate from development or aid funding.

To further enhance our fundraising impact, at our 13th Board meeting for 2022, which starts today, the Board of Directors will discuss further concrete steps to enhance the resources available to the Trust Fund for Victims, and therefore to the victims and survivors.

Additional Funds are essential.

Voluntary contributions to the Trust Fund for Victims are at an annual average of EUR 2.7 million, which is insufficient to complement the payment of liability amounts ordered by the Trial Chambers or to continue the ongoing multiannual programmes.

Our second priority is certainly programmatic, that is to ensure the implementation of the reparations programmes. In 2022, the Trust Fund for Victims intensified its work of implementing Court-ordered reparations and continued its assistance activities, be it with a reduced financial commitment, in the Central African Republic, Côte d'Ivoire, Democratic Republic of the Congo, and Uganda.

In July 2022, the Trust Fund for Victims launched collective reparations for the population of Timbuktu in the Al Mahdi case in Timbuktu, Mali. The individual reparation award programme has continued, reaching about 1,000 beneficiaries to date.

By the end of October 2022 and since 2008, the Court-ordered reparation programmes in Lubanga and Katanga as well as the assistance programme in Eastern DRC have reached more than 52,000 beneficiaries. In the Katanga case, 297 beneficiaries determined by the Trial Chamber received individual and collective reparations, with the implementation being at a closing stage. Approximately 800 beneficiaries have been included to date in the collective service-based reparation programme in the case of Lubanga. The second contractual year of this programme has started this month in December 2022. A limited initial reparation programme for victims in the Ntaganda case has continued throughout 2022.

The TFV has also put in motion symbolic, collective and individual reparations in relation to 13 incidents of Rome Statute crimes of particular gravity as part of its assistance programme in Côte d'Ivoire. A symbolic ceremony under the leadership of the government of Côte d'Ivoire took place in November 2022 to recognise the victims of the post-election violence in Douékoué, one of the places at which the TFV conducts its assistance programme.

In September 2022, the Irish Embassy co-organised and supported a monitoring mission to northern Uganda and brought the transformative work of the Trust Fund for Victims in northern Uganda closer to three Board members and representatives of 14 states and the European Union. The programme has been active since 2008 and reached approximately 68,000 direct beneficiaries. A side event about this mission with testimonies of the attendees will take place tomorrow at lunchtime. I hope you can join us.

Madam President,

Our third priority is to ensure that our work is seen to be done. Over the past months, once the COVID-restrictions lifted, the Trust Fund for Victims has taken action to increase the visibility of its three Court-ordered reparations programmes and its four assistance programmes through a number of important events and missions. These have allowed donors, states parties and Court officials to become more acquainted with the work of the

TFV and its implementing partners, and to evaluate its impact. In addition to transparency and accountability, the visibility feeds into fundraising efforts. We thank the donors and participants of the missions to Timbuktu in Mali, to northern Uganda, to Bunia in the Democratic Republic of Congo and to Bangui in the Central African Republic.

These missions have been welcomed for the transparency they have brought. States Parties and victims call on the Trust Fund for Victims to enhance its communication. Thus, it will be essential that despite the lack of additional resources, the budget that the Assembly will approve will allow us to continue to engage with the communities, at least at the minimum level recommended by the Committee on Budget and Finance. In this regard, we seek to increase our own abilities and collaborate with Court and the States Parties.

Despite important progress we have considerable challenges ahead. In 2020, the Independent Expert Review Report (IER Report) made a sobering assessment of the performance of the Trust Fund for Victims, highlighting as central the need for enhanced governance, strategic approaches and collaboration with the Court.

In this regard, the Board of Directors has taken essential steps to strengthen the governance of the Trust Fund for Victims, as required by the IER Report and in line with the decisions of the Review Mechanism.

As part of the revitalisation of the Secretariat of the Trust Fund for Victims, in April 2022, this Board continued the leadership transition plan set out by the previous Board, and which has taken effect as of 1 September 2022. The Board of Directors is currently in the process of selecting the new Executive Director through an open and competitive recruitment process which benefits from the participation in the selection panel of members from the judiciary and the Office of the Prosecutor.

To further strengthen the Secretariat, the Board has proposed to the Assembly, amendments to the Regulations of the Trust Fund for Victims so as to put in place tenure for the Executive Director role and to clarify the respective roles of the Board of Directors and the Secretariat. These amendments are before this Assembly for approval.

Madam President,

Centrally, to addressing key shortcomings, the Trust Fund for Victims has developed its new Strategic Plan 2023 to 2025, which is currently, together with the Strategic Plans of the Court, open for consultation with States and civil society.

The new strategy makes use of the Trust Fund for Victim's strongest asset: the collaboration with the Court to constitute together a pillar of reparative justice of the Rome Statute. Together we can work to put in place transformative reparations for and with victims. Together we can mitigate the negative effects of Rome Statute crimes for the next generations. Together we can work for peace and stability.

Madam President, Your Excellencies, ladies and gentlemen,

While presenting progress and demonstrating through this report our determination as Board I do not wish to sugar coat the reality. All existing programmes are currently running at

minimum contractual values and could, with additional funding, easily reach many more beneficiaries. We need, as a matter of priority, to continue our efforts to raise funds to fully complement the liability amounts set by the Court in each case. The TFV also wishes to conduct assistance programmes in all the situation countries under the Court's jurisdiction, subject to the availability of funds and resources. For this to be achieved, renewed collective action by you is essential.

As I stated during the 20th Anniversary of the ICC in July 2022, we must remember that the wording of the Rome Statute is written with the ink of victims' suffering. If we are to continue pledging that victims are at the centre of the Rome Statute system, such pledges need to be matched with resources.

Muchas gracias.