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**Assembly of States Parties**

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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 2008 to 30 June 2009**

**Addendum**

1. The addendum is submitted in accordance with paragraph 33 of the 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 2008 to 30 June 2009,<sup>1</sup> which states: “The National Audit Office of the United Kingdom provides external audit services to the Fund. At the time of writing this present report, the Board had not yet received the audit of the Fund’s financial statements for the year 2008. If necessary, an [addendum] will be issued to the present report once the audit on the financial statement for the year 2008 has been received by the Board.”
2. On 31 July 2009, the Secretariat of the Board of Directors of the Trust Fund for Victims received the findings of the audit on the Trust Fund for Victims for the period ended 31 December 2008 and four recommendations to the Board. Below are the Board’s responses to those recommendations.

**Recommendation 1:**

The Secretariat of the Board of Directors has been advocating a solution in the Court’s SAP system since 2008, before the Trust Fund received the first earmarked contribution. As agreed with Registry (Common Administrative Services Division), all earmarked contributions are currently controlled outside the SAP system. However, the basic set-up for controlling earmarked contributions and expenditure within the Court’s SAP system should be operational by late 2009 or early 2010 at the latest.

**Recommendation 2:**

The proposed programme budget for 2010 includes tangible performance indicators and targets as recommended by the External Auditor. The programme budget for 2008, however, was written in early 2007, shortly after the first staff member of the Secretariat had been recruited. As a result, the programme budget for 2008 reflects the fact that in the first few weeks of the existence of the Secretariat it was not possible to set tangible targets and

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\* Reissued for technical reasons.  
<sup>1</sup> ICC-ASP/8/18.

performance indicators. Nevertheless, the Secretariat achieved, with a 99.8 per cent implementation rate, the Court's highest compliance rate with the budget for 2008.

**Recommendation 3:**

Article 79.1 of the Rome Statute states that a "Trust Fund shall be established by decision of the Assembly of States Parties for the benefit of victims of crimes within the jurisdiction of the Court, and of families of such victims". Victims are defined in rule 85 of the Rules of Procedure and Evidence. Furthermore, rule 98 of the Rules of Procedure and Evidence refers to the individual or collective reparations the Trust Fund has to provide to victims. It is therefore the opinion of the Board that it would be inappropriate to use any voluntary contributions or money or other property collected through fines or forfeiture in accordance with article 79 to cover the costs of the Secretariat (including the costs of Board meetings).

**Recommendation 4:**

The Board had set the threshold for the acceptance of private contributions without vetting at USD 5,000, or its equivalent in euros. The Board will re-evaluate this threshold once some data on the volume and value of online contributions are available and take into consideration the recommendation of the External Auditor to possibly lower this threshold.

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