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**Trust Fund for Victims financial statements  
for the period 1 January to 31 December 2013**

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## Letter of transmittal

26 May 2014

In accordance with Financial Regulation 11.1, I have the honour of submitting the financial statements of the Trust Fund for Victims for the financial period 1 January to 31 December 2013.

(Signed) Herman von Hebel  
Registrar

M. Hervé-Adrien Metzger  
Director  
Cour des Comptes,  
13 rue Cambon,  
75100 Cedex 01  
France

## Letter to the Registrar for the Trust Fund for Victims Financial Statements 2013

26 May 2014

Dear Mr Registrar,

Pursuant to TFV Regulation 77(b), the Board of Directors must submit the accounts and Financial Statements of the Trust Fund for Victims for review by the External Auditor.

I would be grateful if you would sign the Trust Fund for Victims Financial Statements (2013) Letter of Transmittal to the External Auditor.

Respectfully yours,

(Signed) Motoo Noguchi,  
Chair, Board of Directors of the Trust Fund for Victims

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## External auditor's opinion

We have audited the Financial Statements of The Trust Fund for Victims (TFV), for the 12 month period ended 31 December 2013. These Financial Statements include a statement of income and expenditure and changes in fund balances, a statement of assets, liabilities, reserves and fund balances, a cash flow statement and other information and notes for the financial year ending at that date.

By virtue of Part IV, paragraph 77 of the Regulations of the Trust Fund for Victims, the Board of Directors is responsible for preparing and presenting the financial statements of The Trust Fund for Victims. These statements are in conformity with the United Nations System Accounting Standards (UNSAS). This responsibility includes the design, implementation and monitoring of internal control procedures to ensure the preparation and the fair presentation of financial statements, free of significant misstatements, resulting either from frauds or errors. This responsibility also includes the determination of fair accounting estimates adapted to the circumstances.

Our responsibility is to express an opinion on these financial statements based on our audit. We have conducted our audit in accordance with the International Standards on Auditing (ISA). These Standards require us to comply with the ethical rules and to plan and perform our audit in order to obtain a reasonable assurance that the financial statements are free from material misstatements.

An audit consists in implementing audit procedures in order to collect audit evidence regarding the amounts and the information presented in the financial statements. The design of the audit procedures is based on the external auditor's professional judgment, as well as the risk evaluation that the financial statements include significant misstatements, resulting either from frauds or errors. In the context of this risk evaluation, the auditor considers the internal control in place for the preparation and presentation of the financial statements, in order to design appropriate audit procedures and not in order to express any opinion on the internal control. An audit also consists in evaluating that the accounting method applied and the presentation of the financial statements are appropriate and that the significant accounting estimates are reasonable.

We believe that the audit evidence collected is sufficient and appropriate to constitute a reasonable basis for our opinion.

Based on our audit, the financial statements give a fair view of the income and expenditure and changes in fund balances as well as the assets, liabilities, reserves and fund balances and cash flow of The Trust Fund for Victims as at 31 December 2013, for the 12 month period ended 31 December 2013 in conformity with the UNSAS.

Didier MIGAUD

Cour des Comptes  
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# Audit report on the Trust Fund for Victims financial statements for year ended 31 December 2013

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## **I. Audit objective, scope and approach**

1. We have audited the financial statements of the Trust Fund for Victims (TFV) in accordance with International Standards on Auditing (ISA) and in accordance with Regulation 12 of the Financial Regulations and Rules of the International Criminal Court (ICC), including the additional terms of reference governing the audit.

2. The overall objective of an audit of financial statements is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, thereby enabling the auditor to express an opinion on whether the financial statements are prepared, in all material respects, in accordance with the applicable financial framework.

3. The additional terms of reference governing the audit of ICC and all trust funds including The Trust Fund for Victims, disclosed in the annex 6.(c) to the Financial Regulations and Rules lists other matters, which the Auditor considers should be brought to the notice of the Assembly of States Parties, such as wasteful or improper expenditure of the Trust Fund for Victims' money and other assets, and expenditure not in accordance with the intention of the Assembly of States Parties.

4. The audit mission comprised two phases:

(a) An interim audit, focusing on internal controls, budgeting and governance issues, from 02 to 13 December 2013.

(b) A final audit, focusing on the financial statements and disclosure requirements from 26 May to 6 June 2014.

5. There were no findings and recommendations arising from the financial audit.

6. We noted that all eight outstanding recommendations resulting from the audits carried out by the United Kingdom National Audit Office were either implemented or in the process of being implemented. These are disclosed in the annex to this report.

7. A closing meeting with the Executive Director of The Trust Fund for Victims, Senior Programme Manager, the TFV consultant and the ICC IPSAS Project Coordinator, took place on 6 June 2014.

8. This report has been prepared, taking into account the written comments sent by The Trust Fund for Victims and the International Criminal Court on 30 June 2014.

9. We issue an unqualified opinion on the financial statements of the Trust Fund for Victims for the year ended December 31st 2013.

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## II. Follow-up of 2012 recommendations

10. After a review over the implementation status of prior year recommendations, it was noted that the two recommendations have been implemented. This has been detailed in the following table:

<i>N° Subject</i>	<i>Recommendations</i>	<i>Implemented</i>	<i>Partially Implemented</i>	<i>Not yet Implemented</i>
1	General issues relating to the accounting function and the conduct of the audit The External Auditor recommends improving the ways of working between the Trust Fund for Victims and the ICC Budget and Finance Section by taking the necessary steps to help ensure that the ICC accounting function responds in a timely manner to reasonable demands from the External Auditor. This should also put meeting the requirements of the upcoming implementation of IPSAS standards, as a key priority for TFV and the ICC accounting function.	X		
2	Advance payments to implementing partners The External Auditor recommends to the Board of Directors of TFV to decide which accounting policy to apply by making a judgment based on a detailed analysis of all contracts with respect to measurable performance conditions and enforceable refund of funds. It is also recommended that the TFV Board of Directors initiate this analysis performing it in close collaboration with the ICC IPSAS Unit head.	X		
<b>Total number of recommendations</b>		<b>2</b>	<b>0</b>	<b>0</b>

## III. Acknowledgements

11. The External Auditor wishes to thank The Trust Fund for Victims and the members of the Office of the Registrar of the International Criminal Court, for the cooperation and general support provided to the audit teams during the audit.

## Annex

### Follow-up of previous recommendations raised by the United Kingdom National Audit Office

1. After careful review over the implementation status of recommendations raised by the United Kingdom National Audit Office, it was noted that out of a total of eight outstanding recommendations raised for financial years 2010 and 2011, five have been implemented and three have been partially implemented.

2. The majority of partially met recommendations relate to governance and ways of working issues. The External Auditor will carry out a complete review of questions relating to the governance of the Trust Fund for Victims as part of audit procedures carried out in 2014 and 2015.

<i>Financial Year</i>	<i>Nº</i>	<i>Recommendations</i>	<i>Completed</i>	<i>Partially completed</i>	<i>Not yet completed</i>
2011	1	The Fund should work closely with the ICC IPSAS implementation team to develop specific and appropriate IPSAS accounting policies which are tailored to the situation and requirement of the Fund.	X		
2011	2	The Funds should clearly identify the objectives and anticipated benefits of the IPSAS project and develop a methodology to track and manage benefits realisation.	X		
2011	3	The Fund's management should engage with the OIA to ensure that it receives sufficient assurance on the adequacy and effectiveness of the Fund's framework of governance, risk management and control.		X	
2010	1	The process of setting objectives for the Fund must be examined. All objectives given must be measurable, specific and achievable.		X	
2010	4	The Fund should ensure that the bidding process for projects is as simple as possible to encourage participation. Clear guidance on preparing a bid should be provided by the Fund for those who are uncertain of the process; this will help in making the process open to as many applicants as possible.	X		
2010	5	The Fund should look to review each stage of the tender process in depth in order to capture lessons learned that need to be learnt in order to improve the process for future tenders.	X		
2010	6	We recommend that the Trust Fund for Victims should consider the necessary resources required supporting the administrative and financial requirements of the Fund as online donations and reparations become more significant over the coming financial periods.		X	
2010	7	The management and Board should engage in enterprise risk management. On-going processes for identifying, assessing and mitigating risks should be implemented as soon as possible in order to safeguard the resources which have been entrusted to the Fund.	X		
<b>Total number of recommendations</b>			<b>5</b>	<b>3</b>	<b>0</b>

## Statement I

### Trust Fund for Victims Statement of income and expenditure and changes in fund balances for the period ending 31 December 2013 (in euro)

	2013	Notes Ref.	2012
<b>Income</b>			
Voluntary contributions	4,583,878	3.4	2,502,203
Interest income	64,870		59,897
Other income	7,465		-
<i>Total income</i>	<i>4,656,213</i>		<i>2,562,100</i>
<b>Expenditure</b>			
Disbursements	1,094,130	3.8	1,132,917
Unliquidated obligations	715,848	3.8, 3.9	317,740
<i>Total expenditure</i>	<i>1,809,978</i>		<i>1,450,657</i>
<b>Excess/(shortfall) of income over expenditure</b>	<b>2,846,235</b>		<b>1,111,443</b>
Savings on, or cancellation of, prior period obligations	-	3.10	29,252
Refunds to Donors	-	3.11	(19,546)
Fund balances at beginning of financial period	4,531,456		3,410,307
<b>Fund balances as at 31 December</b>	<b>7,377,691</b>		<b>4,531,456</b>

Date:

Signed: Chair of the Board of Directors for the Trust Fund for Victims.....  
Chief of Budget and Finance Section.....

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## Statement II

### Trust Fund for Victims Statement of assets, liabilities, reserves and fund balances as at 31 December 2013 (in euro)

	2013	Notes Ref.	2012
<b>Assets</b>			
Cash and term deposits	8,078,682		4,847,002
Other accounts receivable	14,857	3.12	14,642
<b>Total assets</b>	<b>8,093,539</b>		<b>4,861,644</b>
<b>Liabilities</b>			
Unliquidated obligations	715,848	3.8,3.9	317,740
Repatriation Grant Accrual	-		7,465
Other accounts payable	-		4,983
<i>Total liabilities</i>	<i>715,848</i>		<i>330,188</i>
<b>Reserves and fund balances</b>			
Cumulative surplus	7,377,691		4,531,456
<i>Total reserves and fund balances</i>	<i>7,377,691</i>		<i>4,531,456</i>
<b>Total liabilities, reserves and fund balances</b>	<b>8,093,539</b>		<b>4,861,644</b>
Date:	Signed: Chair of the Board of Directors for the Trust Fund for Victims..... Chief of Budget and Finance Section.....		

## Statement III

### Trust Fund for Victims Statement of cash flow as at 31 December 2013 (in euro)

	2013	2012
<b>Cash flows from operating activities</b>		
Net excess/(shortfall) of income over expenditure (Statement I)	2,846,235	1,111,443
Other accounts receivable (increase)/decrease	(215)	(12)
Unliquidated obligations increase/(decrease)	398,108	(523,336)
Other accounts payable increase/(decrease)	(4,983)	4,983
Repatriation Grant Accrual	(7,465)	-
Less: interest income	(64,870)	(59,897)
<i>Net cash from operating activities</i>	<i>3,166,810</i>	<i>533,181</i>
<b>Cash flows from investing and financing activities</b>		
Plus: interest income	64,870	59,897
<i>Net cash from investing and financing activities</i>	<i>64,870</i>	<i>59,897</i>
<b>Cash flows from other sources</b>		
Savings on, or cancellation of prior period obligations	-	29,252
Refunds to donors	-	(19,546)
<i>Net cash from other sources</i>	<i>-</i>	<i>9,706</i>
<b>Net increase/(decrease) in cash and term deposits</b>	<b>3,231,680</b>	<b>602,784</b>
Cash and term deposits at beginning of period	4,847,002	4,244,218
<b>Cash and term deposits at 31 December (Statement II)</b>	<b>8,078,682</b>	<b>4,847,002</b>

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## Notes to the financial statements of the Trust Fund for Victims

### 1. The Trust Fund for Victims and its objectives

1.1 The Trust Fund for Victims was established by the Assembly of States Parties (ASP), in its resolution ICC-ASP/1/Res.6, for the benefit of victims of crimes within the jurisdiction of the International Criminal Court (ICC), and the families of such victims.

In the annex to that resolution, the Assembly of States Parties established a Board of Directors, which is responsible for the management of the Trust Fund.

### 2. Summary of significant accounting and financial reporting policies

2.1 The financial statements of the Trust Fund for Victims are maintained in accordance with the Financial Regulations and Rules of the ICC, as established by the Assembly of States Parties in the annex to resolution ICC-ASP/1/Res.6. The financial statements of the Trust Fund are currently in conformity with the United Nations System Accounting Standards. These notes form an integral part of the Trust Fund's financial statements.

2.2 *Fund accounting*: the Trust Fund's accounts are maintained on a fund accounting basis.

2.3 *Financial period*: the financial period of the Trust Fund is one calendar year, unless otherwise decided by the Assembly of States Parties.

2.4 *Historical cost basis*: the accounts are prepared on the historical cost basis of accounting and are not adjusted to reflect the effects of changing prices for goods and services.

2.5 *Currency of accounts*: the accounts of the Trust Fund are presented in euro. Funds held in other currencies are converted into euro at the United Nations operational rate of exchange in effect at the date of the financial statement. Transactions in other currencies are converted into euro at the United Nations operational rate of exchange in effect at the date of transaction.

2.6 *Funding*: the Trust Fund for Victims is funded by:

- a) Voluntary contributions from governments, international organizations, individuals, corporations and other entities, in accordance with relevant criteria adopted by the Assembly of States Parties;
- b) Money and other property collected through fines or forfeiture transferred to the Trust Fund if ordered by the ICC pursuant to article 79, paragraph 2, of the Statute;
- c) Resources collected through awards for reparations, if ordered by the ICC pursuant to rule 98 of the Rules of Procedure and Evidence; and
- d) Resources as the Assembly of States Parties may decide to allocate.

2.7 *Income*: voluntary contributions are recorded as income at the time that the actual contributions are received from the donors.

2.8 *Cash and term deposits* comprise funds held in interest-bearing bank accounts, time deposits, and call accounts.

### 3. The Trust Fund for Victims (statements I-III)

3.1 *Statement I* reports the income and expenditure and changes in reserve and fund balances during the financial period. It includes the calculation of the excess or shortfall of income over expenditure for the current period and prior-period adjustments of income or expenditure.

3.2 *Statement II* shows the assets, liabilities, reserves and fund balances as at 31 December 2013.

3.3 *Statement III* is the cash flow summary statement prepared using the indirect method.

3.4 *Voluntary contributions* of €4,583,878 were received from governments, individuals, organizations and other entities.

**Table 1: Voluntary Contributions**

<i>Countries</i>	<i>2013</i>	<i>2012</i>
Finland	326,145	200,000
Germany	900,000	300,000
Netherlands	1,025,000	475,000
Norway	-	272,610
Sweden	1,344,168	-
Switzerland	100,000	100,000
United Kingdom	610,950	640,688
Others	277,615	513,905
<b>Total (in euro)</b>	<b>4,583,878</b>	<b>2,502,203</b>

3.5 In 2013, 19 per cent or €885,950 of voluntary contributions accepted by the Trust Fund was earmarked for assistance to victims of sexual and gender-based violence. 20 per cent or €900,000 represents a contribution received from Germany on 16 December 2013 earmarked to reparations activities.

**Table 2: Earmarked Contributions**

<i>Countries</i>	<i>2013</i>	<i>2012</i>
Finland	200,000	307,066
Germany	900,000	300,000
Italy	40,000	-
Netherlands	-	25,000
Norway	-	272,610
Republic of Estonia	35,000	-
United Kingdom	610,950	-
<b>Total (in euro)</b>	<b>1,785,950</b>	<b>904,676</b>

3.6 The contribution from Finland amounting to €200,000, received on 5 December 2013, is earmarked for sexual and gender-based violence activities under the TFV's assistance mandate. The contribution is the second instalment of a multi-annual agreement with the Government of Finland amounting to €800,000 to be paid during the period from 31 December 2012 to 31 December 2015.

3.7 Contributions from the Republic of Estonia, Italy and the United Kingdom are earmarked for assistance to victims of sexual and gender-based violence. Contribution from the United Kingdom was received on 18 January, from Italy on 12 November and from Estonia in two instalments on 2 May and 23 December 2013.

3.8 *Expenditures* of €1,809,978 comprise disbursements of €1,094,130 and unliquidated obligations of €715,848.

3.9 *Unliquidated Obligations* have been recognized in accordance with ICC Financial Regulation 4.5 "Appropriations shall remain available for twelve months following the end of the financial period to which they relate to the extent that they are required to liquidate any outstanding legal obligations of the financial period." Due to the nature of the activities of the fund, unliquidated obligations reported in the financial statements of the Trust Fund for Victims relate to ongoing contracts with implementing partners. The Trust Fund for Victims reserves the rights to cancel these obligations in exceptional circumstances, reducing the actual obligation at 31 December 2013.

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3.10 *Savings on, or cancellation of prior period obligations:* there were no savings on prior period obligations.

3.11 *Refunds to donors:* there were no refunds to donors during 2013.

3.12 *Other accounts receivable* in the amount of €14,857 represent interest earned but not yet received as at 31 December 2013.

3.13 *Contributions from the ICC:* in annex 6 of resolution ICC-ASP/1/Res.6, the Assembly of States Parties decided that the Registrar of the Court should be responsible for providing such assistance as is necessary for the proper functioning of the Board of Directors of the Trust Fund in carrying out its tasks, and should participate in the meetings of the Board in an advisory capacity.

3.14 In 2013, the Assembly of States Parties approved an appropriation of €1,580,000 for the Secretariat of the Trust Fund for Victims which administers the Trust Fund and offers administrative support to the Board and its meetings. Expenditures recorded in the accounts of the International Criminal Court for the Secretariat during the financial period are €1,431,511.

3.15 *Donations in kind:* No donations in kind were received by the Trust Fund for Victims during 2013.

3.16 *Matched partner expenditure:* The Trust Fund for Victims' implementing partners reported €377,560 (31.12.2013 UN Foreign Exchange rate) as matching resources such as services, support provided to the victims from other sources in 2013.

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