



Fonds au Profit des Victimes
The Trust Fund for Victims



TFV Board: Closure for victims is the true measure of international justice

Press Release, The Hague, 29 November 2016

The Board of Directors of the Trust Fund for Victims (TFV) calls upon States, the ICC, civil society, and all the world's citizens to find the will power and resources to ensure that international justice is delivered to victims: not only in the court room, but also in their homes, and in their communities.

The Rome Statute's purpose is to close the impunity gap for the most serious international crimes. While closing the impunity gap is truly an ambition of universal value, on its own it is insufficient. The Rome Statute system must equally strive to close the "victims gap". International crimes have a profound impact, including massive and debilitating suffering of individuals, families and entire societies. This harm must be met with a reparative response that is respectful of the fragility, the dignity and the resilience of victims, enabling them to overcome the harm that they have suffered and to rebuild their lives.

At its 15th meeting on the eve of the 15th Assembly of States Parties (November 16-26) in The Hague, The Netherlands, the TFV Board of Directors met to take stock of achievements and future perspectives. TFV Board and staff members actively participated in the Assembly, joined in side event panels on topics related to victims and reparations, engaged with delegations including from donor and situation countries, and reconvened to debrief and to (re)confirm priorities.

The Board reiterated its decision to expand its assistance mandate activities in support of victims to four more ICC situation countries, including Cote d'Ivoire, Kenya, Central African Republic, and Mali. The Board also expressed its resolve to further develop the TFV's constructive and vigorous partnership with the ICC in the design and implementation of legally sound and operationally viable reparations awards to victims of crimes in cases that have been successfully prosecuted before the ICC.

There are currently four ICC cases in the reparations phase: Lubanga and Katanga (Democratic Republic of the Congo), Bemba (Central African Republic), and Al Mahdi (Mali), which concern convictions for crimes that vary from the use of child soldiers, pillage, rape, and murder to the intentional destruction of buildings important to religious and cultural heritage.

The TFV's Open Board Session on **Creating Reparative Value for Victims**, co-hosted by Japan, featured a lively debate with representatives of States Parties, judges and senior staff of the ICC as well as civil society organisations on what needs to be in place to enable the TFV to deliver meaningful reparative value to victims, in partnership with the Court and with the support of States Parties.

More resources

The TFV depends on voluntary contributions and donations to finance its assistance programmes as well as to complement the payment of Court-ordered reparations awards. The TFV notes with concern that annual revenue has been on the decline in the past two years, from €5 million in 2013 and 2014 to around €2 million in 2016. The TFV is aware of the budget constraints and policy challenges facing its major donors and is therefore all the more grateful for the support it continues to receive. During the Assembly, the TFV Board welcomed the news of a new 3-year commitment of a value of €3 million from the Swedish international development agency (Sida), as well as

the interest and commitment of Finland to follow up with a new multi-annual agreement as well. Other States, including Japan, announced voluntary contributions, as well. The TFV will publish the overview of 2016 revenue in the next Newsletter. In the TFV Board's estimation, annual revenue of €10 million is needed to improve and sustain its ability to be responsive to its mandates of delivering assistance and Court-ordered reparations to victims.

A robust delivery capacity

At less than 2% of the overall programme budget of the Court, the TFV is expected to deliver a much more significant part of the Rome Statute's impact. Over 300,000 beneficiaries in northern Uganda and eastern DRC are already benefiting from TFV assistance programmes. The modest size of the TFV's delivery structure demonstrates the significant measure of synergy with the ICC Registry. It also signals the efficiency and effectiveness of engaging the services of locally based – locally trusted and knowledgeable – implementing partners, which together employ over 150 professionals in TFV supported programmes. Due to the depth and severity of victim injuries, implementation of TFV supported victim initiatives requires multiyear efforts to redress the extent of their harm. The new organisational structure of the Secretariat is designed to enable the TFV to be more responsive to its mandates, to radically improve the visibility of its presence and its results, as well as to pave the way towards financial growth and sustainability. The approved budget for 2017 is allowing the TFV to start building the new structure.

Cooperation

Within the Rome Statute system, the TFV plays a crucial role in conjunction with the Assembly of States Parties, to which it is directly accountable, and with the International Criminal Court, an essential partner in validating the TFV's assistance and reparations mandates. The moral and political support of States Parties extends to cooperation in asset recovery for the purpose of financing reparation awards to victims in a meaningful manner, which preserves the essential link between the crimes and the corresponding redress owed to victims. The TFV understands the implementation of its assistance mandate to be of complementary value to the responsibility of domestic jurisdictions to redress the harms suffered by its victims. A partnership between the TFV and the Court that acknowledges and leverages the mutually reinforcing roles, responsibilities, and capabilities of both institutions should greatly enhance the scope and value of the reparative justice that is delivered to victims.

International advocacy and visibility

The TFV Board is acutely aware of the need to demonstrate the impact of assistance and reparations delivered by the TFV to victims and their communities, in more situations and in more cases before the Court. Evidence-based outcomes enable the TFV to validate its unprecedented mission of creating reparative value for victims; and to tell the world about the viability of an international criminal justice system, working in complement to national jurisdictions, that puts closure for victims at the centre of its ambitions.

Trust Fund for Victims, Board of Directors

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