



QUESTIONS & ANSWERS ON THE INTERNATIONAL CRIMINAL COURT'S TRUST FUND FOR VICTIMS

What is the Trust Fund for Victims?

The Trust Fund for Victims (TFV) assists victims and affected communities of crimes addressed by the International Criminal Court. It was created in July 2002 when the Rome Statute entered into force, thereby establishing the Court. The drafters of the Rome Statute made a commitment to end impunity and bring to justice those most responsible for war crimes, crimes against humanity and genocide. The TFV was established to empower, assist and return dignity to the many victims affected by these horrendous crimes. In 2008 it had assets of 3,050,000 Euros.

How is the Trust Fund governed?

The Regulations of the Trust Fund govern its activities, in addition to relevant procedures of the Rome Statute and the Court's Rules of Procedure and Evidence. Article 79 of the Statute permits the Court to order the payment of money and other property collected through fines or forfeiture to be transferred, by order of the Court, to the Trust Fund. These funds are used for restitution, compensation and reparation. In addition, Rule 98(5) of the Rules of Procedure and Evidence allows other resources of the TFV to be used for the benefit of victims, subject to the provisions of Article 79. Regulation 47 of the Trust Fund's Regulations states that the Court may grant money for psychological rehabilitation, physical rehabilitation and material support.

Who oversees the Trust Fund?

The TFV is governed by a five-member Board of Directors elected by the Assembly of States Parties (ASP) for three-year terms. The seats on the Board are distributed according to the five major world regions. The directors serve on the Board *pro bono*. The activities of the Board and the TFV are overseen by its Chair. The Board elects a board member to be the Chair of the TFV; he or she may be reelected once.

Where does the TFV get its funding?

The funds used by the TFV are collected through voluntary contributions and fines or forfeitures, ordered by the Court, to be paid by convicted persons. Voluntary contributions are welcome as long as they are earmarked for a particular purpose, benefit victims and are non-discretionary.

How do victims access the TFV?

A victim is eligible for aid from the TFV if he or she has been directly by or indirectly been affected by mass atrocities committed in one of the situation countries. The TFV recommends that all victims in need of assistance contact a local field officer in the country where the crime happened. The field officer will determine if the applicant is a victim of a crime within the jurisdiction of the Court. The field officer determines if the applicant was a direct or indirect victim. The applicant is not required to be a victim of specific attacks under investigation by the Court. Therefore, an applicant may be a relative of a direct victim or he or she may have been displaced as a result of the atrocities committed. The TFV does not disclose the names of victims receiving aid, though it does make public general community assistance programs.

How are grants awarded?

After applicants submit proposals, the TFV carries out field assessments to determine whether the project directly addresses the harm caused by a specific conflict. The project must target those most affected and





vulnerable victims of the crimes within the Court's jurisdiction. The grant program encourages organizations, private individuals and NGOs to become involved. The TFV also funds projects aimed at empowering victims and communities to rebuild and take ownership over projects in the long-term. Requests for proposals encourage communities, humanitarian groups and stakeholders in affected communities to address the most immediate needs of these areas, specifically sexual violence program proposals in DRC and Uganda. For projects beginning in 2009, the TFV will establish local field offices in the Democratic Republic of the Congo (DRC), Northern Uganda, and the Central African Republic (CAR). The Chair of the TFV will oversee the grant-making of these local offices. Proposals will be evaluated and scored using the evaluation criteria specified in the request for proposals. After proposals are selected, the TFV Secretariat will monitor the implementation of the project and address any gaps in service. The TFV makes both small and large scale grants, depending on the size of the project and the availability of resources. All project proposals must recognize the vulnerable situation of women and young girls in affected areas, implement projects that victims actively participate in and provide a management mechanism to maintain long-term success.

What are the current TFV projects?

In 2007-2008, the TFV received 42 proposals; 34 of these projects were selected for approval – 16 in the DRC and 18 in Northern Uganda. The proposed projects incorporated specific mechanisms to address the special vulnerability of women and girls. These projects were expected to reach an estimated 380,000 direct and indirect victims at a cost of approximately 1,650,000 Euros. The TFV has allocated an additional 650,000 Euros for projects in 2009, including in the CAR.

Three of the programs the TFV established in the DRC include: a program offering psychological and material support to victims of sexual violence and rehabilitation for men, women and children (in the Walungu territory, Fizi, Uvira, Bukavu, South Kivu; Beni, North Kivu; Goma, Bunia, Irumu, Djugu, Mahagi and Ituri province); a program offering psychological support and material support for ex-child soldiers and abducted children (in the Bunia and Ituri Provinces, Irumu, Djugu and Mahagi); and a program offering psychological support for families of murdered victims (in Bunia, Nyakunde, Ituri province, Aru, Goma, Masisi Territory and North Kivu province).

In Uganda, examples of TFV programs include: psychological support and material support for ex-child soldiers and abducted children (in Gula and Lira); physical rehabilitation and psychological support for mutilated victims and physical rehabilitation and psychological support for handicapped victims (in Gulu, Soroti and Lira); and psychological support and material support for victimized villages (in Apungi, Adjumani and Teso and the Lango regions).

How does the Court grant reparations?

Article 79 of the Rome Statute permits the use of the Trust Fund's resources for reparations pursuant to Court order. Currently, the TFV has 1,000,000 Euros available to pay reparations. The authority of the Court to order the TFV to pay reparations is especially important if a convicted defendant has limited resources. The TFV has chosen to award grants for now because the projects will reach a significant number of victims.

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