

Public Announcement on the Decisions taken by the Board of Directors of the Trust Fund for Victims from December 2021 to July 2022

The seventh Board of Directors (Board) of the Trust Fund for Victims (TFV) at the International Criminal Court (ICC) has been elected by the Assembly of States Parties on 6 December 2021 for a term of three years (2021-2024 mandate period).

From its election until July 2022, the TFV Board held eight meetings in total: two in-person sessions respectively on 7 and 8 December 2021 and from 6 to 8 April 2022, and six remote sessions on 17 January, 17 February, 17 March, 19 May, 23 June, and 19 July. The ICC Registrar participated in Board meetings in an advisory capacity. Following the concise remote sessions, the Board continued to take decisions through email communications.

The list of decisions should be read and considered in conjunction with the public version of the [TFV Management Brief Q1 and Q2 2022](#) (currently only available in English).

Elections and Board meetings

The newly elected Board convened on 7 and 8 December 2021 to elect their Chair and, for the first time, a Vice-Chair. Ms Minou Tavárez Mirabal from the Dominican Republic was elected Chair and Mr Ibrahim Sorie Yillah from Sierra Leone was elected Vice-Chair.

The Board determined its working methods based on the Working Method Policy, such as annotated agendas before meetings and action points after meetings, sufficient time to consider documents, executive summaries of documents, as well as a regular monthly day for its remote meetings. The Board appointed focal points from among its members for various issues, including for budget related matters (Minou Tavárez Mirabal and Kevin Kelly), legal matters (Andres Parmas and Ibrahim Sorie Yillah), fundraising and communications (Kevin Kelly), and the Review Mechanism (Sheikh Mohammed Belal).

The Board encouraged the Secretariat to simplify the format of the Management Briefs.

Fund Management

Funds allocation from voluntary contributions to implement reparations and assistance programmes:

In March 2022, the Board approved the allocation of EUR 2.8 million to the TFV assistance programmes. Assistance activities were reduced in volume in view of available resources. Assistance programmes in the Central African Republic (EUR 0.9 million), Côte d'Ivoire (EUR 0.5 million), the Democratic Republic of the Congo (EUR 0.7 million) and Uganda (EUR 1 million) were allocated with sufficient resources to allow for a one-year renewal of the relevant contracts with implementing partners in 2022. The initially allocated funds for the Mali programme were reduced by EUR 0.3 million as the TFV received an earmarked contribution to start the activities.

Specific reparations cases did not require additional allocation of funds in 2022, as they continued on previously allocated resources. Further investment in reparations activities will be required from 2023 onwards, for which at current EUR 2 million are available as allocated or earmarked to reparations as such. The below graph corresponds to the liability values under reparations as per Trial Chambers' decisions and current allocations by the Board:

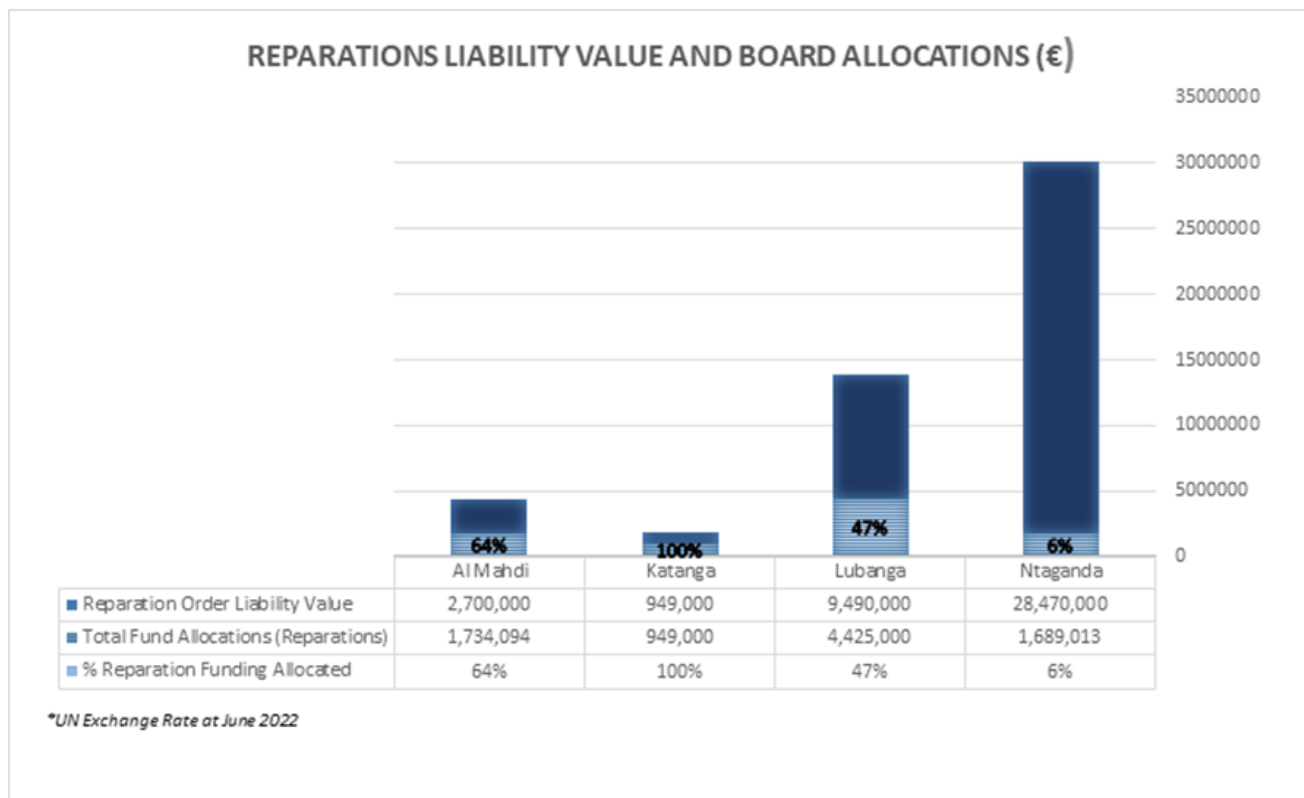
In the *Lubanga* case, the liability amount set by the Trial Chamber was USD 10 million (equivalent to EUR 9,490,000 at June 2022 UN exchange rates). As at 30 June 2022, the Board has complemented an amount of EUR 4,425,000 from its extra-budgetary resources, which is, according to the current exchange rate, 47% of the total

liability amount. The TFV continues its fundraising efforts for the remaining EUR 5,065,000 (UN exchange rate as at June 2022) as part of its ambition to fully complement the total liability amount in the *Lubanga* case.

In the *Katanga* case, the Board has fully complemented the total liability set by the Trial Chamber at USD 1 million.

In the *Al Mahdi* case, the TFV Board has complemented 64 % of the liability amount, set by the Chamber at EUR 2,7 million. The grant agreement with Canada concluded in January 2022 will fund the remaining EUR 965,906.

In the *Ntaganda* case, the liability amount set by the Trial Chamber was USD 30 million. This amount is subject to the ICC’s Trial Chamber's new reparations order to be issued following the 12 September 2022 Appeal Chamber’s judgment. In 2021, the TFV Board allocated the amount of EUR 1,500,000 from its reparations reserve, and received an earmarked contribution of AUD 300,000 from Australia.



**Ntaganda case: this amount is subject to the ICC’s Trial Chamber's new reparation order to be issued following the 12 September 2022 Appeal Chamber’s judgment.*

2023 Proposed programme budget (PPB) for the TFV Secretariat

The Board approved the PPB 2023 for the TFV Secretariat at a total value of EUR 4,447.4, or a 37.8% increase against the 2022 Approved Programme Budget. The Board decided to appoint the Board Chair and Board member Kevin Kelly as focal points for the Proposed Programme Budget (PPB) 2023. The Board requested the Executive Director to submit the PPB 2023, on behalf of the TFV Board of Directors, through the ICC, to the Committee on Budget and Finance, in accordance with regulation 77(a) of the Regulations of the Trust Fund for Victims.

Reparations related filings and decisions

The Board focal points on reparations Mr Ibrahim Sorie Yillah and Mr Andres Parmas closely followed the progress of reparations in early 2022. The TFV has submitted on 25 March 2022 a second version of the Draft Implementation Plan in the case of *Ntaganda*. On 7 March 2022, the TFV submitted its final observations in the case of *Ongwen*. The two focal points approved continuously eligibility determinations in the cases *Al Mahdi Al Faqi* and *Lubanga*.

Fundraising

The TFV engaged a fundraising consultant, Prof Mirjam van Reisen to develop a fundraising strategy. The fundraising consultant engaged with the Board, the Secretariat, TFV main donors and interested countries in developing the key aspects of the fundraising strategy. A draft strategy was presented to the Board in July 2022. The Board decided to include the key aspects of this fundraising strategy into the TFV new Strategic Plan 2023-2025. In addition, the Board agreed with the fundraising consultant that an acquisition strategy be produced in the second half of 2022. The Board agreed that active steps are undertaken to address the European Union with the goal of raising awareness about the TFV's activities.

Independent Expert Review (IER) and Review Mechanism (RM)

The Board presented a second assessment of IER recommendations 354 and 358 in June 2022 to the Review Mechanism. The first assessment had been presented in October 2021. At the meeting of the Review Mechanism the two recommendations were negatively assessed (not to move forward with these recommendations) and the follow-up actions proposed by the Board were agreed. The Board Chair and focal point Mr Belal were present at the meeting.

The important follow-up actions in addition to those agreed in October 2021 were (1) that TFV Secretariat and Registry would continue to increase their synergies and (2) that the new Executive Director, once recruited, would organise a round table with interested States Parties to explain their stance on the underlying issues raised by the IER report.

Policy development

The [Working Methods Policy of the TFV Board of Directors](#) (entered into force 18 October 2021) was published on the website of the Trust Fund on 17 February 2022. The Board requested the Secretariat to develop a communication policy and strategy.

Strategic Plan

The Board agreed on the proposal of the Secretariat to extend the validity of the [Strategic Plan 2020 - 2021](#) until the end of 2022 to align with the ICC's Strategic Plan and to develop in parallel a mutual alignment with the Court's Strategic Plan 2023-2025. As of March 2022, the Board of Directors has engaged in the development of the new Strategic Plan 2023-2025 as well as in the development of a Theory of Change, as suggested by the Independent Oversight Mechanism in its report of 2019. The Board agreed on the proposal of the Secretariat to formulate high level strategic goals and indicators by June 2022 and to finalize the entire Strategic Plan by December 2022.

Advocacy and Communications

The TFV Board decided to publish a [statement of solidarity related to the situation in Ukraine](#). The TFV Board engaged together and individually with various States and relevant stakeholders, including when traveling in their private capacities.

The TFV Board decided that it would hold in 2022 meetings with each Board member's respective region. Accordingly, the Chair started the chain by meeting the Latin American and Caribbean States Parties in The Hague.

The TFV Board met with the Coalition for the ICC remotely in June 2022 and answered their questions about the engagement in various ICC situation countries.

Of particular relevance are the following engagements by the Board members from January to June 2022:

- A High-Level Regional Seminar, titled "The International Criminal Court and National Justice in the Fight against Impunity for Rome Statute Crimes and other Serious or Related Crimes" was organised by the ICC on 23-25 May 2023, in Dakar, Senegal. This regional conference addressed the issues, challenges and the prospects for cooperation and complementarity between the States Parties to the Rome Statute, in particular those of ECOWAS. The [TFV Board was represented in this regional seminar](#) by Mr Ibrahim Sorie Yillah, Vice-Chair of the TFV Board.
- In May 2022, the Estonian Ministry of Foreign Affairs organized the seminar "[Role of the ICC in the fight against impunity and delivering justice to victims. Cooperation with national authorities](#)". TFV Board member Andres Parmas, TFV staff members and a TFV implementing partner attended virtually.

- Board Chair Ms Minou Tavárez Mirabal attended in person the [20th anniversary of the Rome Statute](#) celebration in The Hague, on 1 July 2022, and delivered a speech on the TFV.
- TFV Vice-Chair Mr Ibrahim Yillah attended in person the [collective reparations awards ceremony in Timbuktu](#), Mali, in early July 2022.

TFV Management

Upon agreement between the Board of Directors, the Executive Director, and the Registrar, the Board announced on 14 April 2022 that Mr Pieter de Baan would complete his mandate as Executive Director on 31 August 2022, following which he would support the leadership transition in an advisory role to the Board. The Board agreed with Ms Franziska Eckelmans, Legal Adviser and Deputy to the Executive Director, to assume the role of Acting Executive Director during the interim period until the new TFV Executive Director is in place. In May 2022, the Board launched the recruitment procedure for the new Executive Director.

Board of Directors of the Trust Fund for Victims

Minou Tavárez Mirabal (Dominican Republic, Latin American and Caribbean States) – Chair of the Board from Dec 2021 onwards

Ibrahim Sorie Yillah (Sierra Leone, African States) – Vice-Chair from Dec 2021 onwards

Sheikh Mohammed Belal (Bangladesh, Asian States)

Andres Parmas (Estonia, Eastern European and Other States) from Feb 2021 and re-elected in Dec 2021.

Kevin Kelly (Ireland, Western European and Other States)

ICC

Peter Lewis, Registrar

Secretariat of the Trust Fund for Victims

Franziska Eckelmans, Acting Executive Director (from 1 September 2022)

For more information about the Trust Fund for Victims, please contact: trustfundforvictims@icc-cpi.int or visit: www.trustfundforvictims.org