



**Fonds au Profit des Victimes**  
**The Trust Fund for Victims**



## **TFV Management Brief Q2/2021**

**1 April – 30 June 2021**

*Public Version*



## Headlines

### *Reparations*

In **Katanga**, due to a slight improvement in the security situation, the Trust Fund for Victims (‘TFV’ or ‘Trust Fund’) was able to continue with the implementation of income-generating activities (‘IGAs’), and worked in consultation with the legal representative of victims (‘LRV’) on the housing assistance and psychological support modalities.

In **Lubanga**, the implementing partner for collective service based reparations hired the necessary personnel and received guidance from the TFV, including the contact information of the first group of beneficiaries for intake. The implementing partner for collective symbolic reparations has been selected further to a competitive procurement procedure, and notified. The contract related to the latter is being processed. During the reporting period, including July 2021, 351 applications have been collected by the LRVs with the support of the Trust Fund, while the Board has issued 230 administrative decisions on eligibility.

In **Al Mahdi**, notification of eligibility decisions to beneficiaries continued during the reporting period along with the payments of individual reparation awards. During the reporting period, including July 2021, 108 beneficiaries were notified of a positive decision and 105 beneficiaries were paid their individual reparation award accordingly. The total number of beneficiaries who received individual reparation awards amounts to 237. Meanwhile, the Board adopted 179 administrative decisions on eligibility.

In **Ntaganda**, following the issuance of the Reparations Order by Trial Chamber VI on 8 March 2021, the Trust Fund submitted its initial draft implementation plan (‘IDIP’) with focus on priority victims on 8 June 2021. The LRVs, Defence Counsel and the Registry submitted their observations to the IDIP. The Trust Fund filed a reply on 28 June 2021 with a view to further clarify the intended scope of the IDIP and the Trust Fund’s overall approach to address harm suffered by priority victims. On 22 June 2021, the Trust Fund filed observations on the request for suspensive effect of the Defence of Mr Ntaganda upon invitation of the Appeals Chamber. The Appeals Chamber denied Mr Ntaganda’s request, including by reference to the TFV’s observations. The Trust Fund requested the Appeals Chamber to invite it to file observations on the appeals raised by the Defence and one LRV against the Reparations Order of 8 March 2021.

A TFV field mission to Bunia in relation to the *Katanga*, *Lubanga* and *Ntaganda* reparations activities took place between 19 May and 19 June 2021.

### *Assistance*

Programmes are firmly in place in the Central African Republic (‘CAR’), Côte d’Ivoire (‘CIV’), the Democratic Republic of the Congo (‘DRC’), and Uganda. The second-year assistance programme (2021-2022) in the DRC continued from 1 May 2021 onward. As of 30 June 2021, the number of TFV ongoing

assistance projects was 24, of which ten are in the DRC, six in the Central African Republic, five in Uganda, and three in Côte d'Ivoire.

The forthcoming assistance programmes in Georgia, Kenya and Mali continued the procurement process to select implementing partners. Application materials and requests for proposal were sent to the shortlisted bidders, respectively seven for Georgia, eight for Kenya, and five for Mali.

#### *Fund management*

The Board approved the second annual programme year (2021-2022) for the DRC assistance programme, with ten projects to remain in line with the value of the first year, i.e. a total value of USD 1.5 million. The same zero-growth approach is taken for the entire assistance mandate programme, with a view to facilitate the funding of on-going and future reparations activities.

The Board approved a fund allocation of EUR 1.5 million as a first complement to the liability amount in the *Ntaganda* case pursuant to regulation 56 of the Regulations of the Trust Fund. The Board also approved the allocation of EUR 1 million to increase the reparations reserve to a total of EUR 2.479 million.

By the end of the reporting period, the Trust Fund's active multi-annual investment portfolio had a value of EUR 13,006,172 million, of which EUR 1,813,773 million remains unallocated.

#### *Fundraising*

On 9 June 2021, the TFV received voluntary contributions from Australia (AUD 300,000 equivalent to EUR 189,000), and Italy (EUR 30,000, unrestricted).

The Australian funding is the first earmarked contribution to reparations in *Ntaganda*. With the above mentioned Board approval of fund allocation of EUR 1.5 million, the current total complement for *Ntaganda* is at EUR 1,689,013.

The TFV and Ireland finalised an agreement on a voluntary contribution of EUR 300,000, which is a 50% increase on 2020, equally divided between reparations and assistance.

#### *TFV Board of Directors meetings*

During the reporting period, the TFV conducted five remote meetings of the Board of Directors, on 1 April, 6 and 27 May, 1 June, and 6 July. During these meetings and via email communications, the Board took various decisions on funds allocations for assistance programmes, implementation of reparations awards, advocacy and fundraising efforts among others.<sup>1</sup>

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<sup>1</sup> The list of Decisions taken by the Board of Directors in the period January to July 2021 is available in the [News](#) section of TFV website.

### *Policy setting*

Building on the improvements achieved in its working methods in the past year, the TFV has made significant progress in discussing its governance issue, including a policy on working methods. On 6 July, the Board of Directors provisionally adopted a Policy on Working Methods and decided to request comments and views by the Registrar and States Parties before final adoption.

The TFV further advanced in conceiving a fund management and investment policy, which will be submitted to the Board in Q4 2021 for its provisional adoption by the end of 2021.

### *Elections of members of the Board of Directors*

Mr Andres Parmas of Estonia was elected to the TFV Board of Directors by the Bureau of the ICC Assembly of States Parties ('ASP') on 8 April 2021. Mr Parmas was nominated by consensus by the Eastern European group of States Parties. Mr Parmas will continue the term of office of Mr Gocha Lordkipanidze, who was sworn in as a Judge at the International Criminal Court on 10 March 2021.

In March 2021, the Chair of the Board wrote to the President of the Assembly of States Parties, proposing amendments of the election procedure, relating *inter alia* to the mandate period of *ad interim* elected TFV Board members, as well as recommending several desired competencies for prospective Board members, corresponding with the TFV's mandates and activities.

On 3 June 2021, the Secretariat of the ASP sent out a Note Verbale to all ICC States Parties ([ICC-ASP/20/SP/38](#)) regarding the decision of the Bureau to fix the nomination period of the seventh election of the TFV Board of Directors, which ran for 12 weeks from 7 June to 29 August 2021.

### *Review Mechanism*

The TFV's views were included in the Court's overall response to the Independent Experts Review ('IER') report, submitted to the Review Mechanism on 14 April 2021. The Board of Directors included separate observations in an annex to the Court's overall response. The TFV, as well as the ICC Registrar, participated in a series of informal meetings with States Parties, hosted by the Ambassador of Sweden, about the IER recommendations in relation to the TFV, which allowed for the sharing of information and views. In June 2021, the TFV submitted to the Review Mechanism its proposal as to the way forward on the recommendations that were categorized as falling within the TFV's responsibility.

### *Advocacy and Visibility*

During the reporting period, the TFV held various meetings with States Parties' representatives, ASP President, Ms Silvia Fernández de Gurmendi, ASP Vice-President, Ms Robert Keith Rae, ASP Vice-

President, Ms Kateřina Sequeñsová, ICC President, Judge Piotr Hofmański, ICC Prosecutor, Mr Karim A.A. Khan QC, ICC Registrar, Mr Peter Lewis, and civil society representatives.

Virtual bilateral meetings were held with the embassies of Bangladesh, Canada, Chile, Cyprus, Czech Republic, DRC, Estonia, Finland, The Gambia, Germany, Ireland, Japan, Republic of Korea, Liechtenstein, Mali, the Netherlands, Poland, Sierra Leone, Sweden, and the United Kingdom.

The TFV also met with regional groups of States Parties: on 23 March with the Group of Latin American and Caribbean States, on 7 April with the Asia-Pacific Group of States, on 10 May with the Eastern European Group of States, on 30 June with the African Group of States, and 6 July with the Group of Western European and other States.

On 16 June, Board member Minou Tavárez Mirabal and TFV Executive Director Pieter de Baan met with over 50 Ambassadors, country representatives, and NGOs based in New York. On 3 to 7 May, the TFV met with civil society organisations, including the Coalition for the ICC ('CICC'), FIDH, Redress, and Women's Initiative for Gender Justice. On 28 May 2021, the Board Chair, Mama Koité Doumbia represented the Board at the virtual annual meeting between the ICC and non-governmental organisations.

In June 2021, the Board Chair, Mama Koité Doumbia met the H.E. Félix Tshisekedi, President of the Democratic Republic of the Congo. At that meeting, the DRC Government and the Trust Fund agreed to organise a high level joint event, hosted by the President of the DRC, with the participation of the DRC Government, civil society and diplomatic representatives. Additional restrictions due to the third wave of COVID-19 required this event to be postponed.

A complete list of meetings is included under Section D.VII.2. below.

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## A. Timeline

The below timeline shows the main events that took place in the reporting period.

- April:
  - 1 April: Board of Directors meeting (remote session).
  - 7 April: Virtual meeting of the TFV with ASP Vice President Robert Keith Rae.
  - 8 April: the ASP elects Andres Parmas from Estonia to the Board of Directors; Mr Parmas replaces Gocha Lordkipanidze, who resigned in February 2021 upon his election as Judge at the ICC.
  - 14 April: the ICC submits its overall response to the Independent Experts Review Report; the views and observations of the TFV Board of Directors are included in an *ad hoc* annex to this response.
  - In the course of April: the TFV holds virtual bilateral meetings with the representatives of Bangladesh, Chile, Czech Republic, Japan, the Republic of Korea, Poland, Sweden and the United Kingdom.
  
- May:
  - 1 May: entry into force of contract extensions for nine implementing partners for second year assistance programme in the DRC (nine projects).
  - 3 May: meeting with the Coalition for the ICC, including Melinda Reed, convenor of Women's Initiatives for Gender Justice.
  - 5 May: meeting with with representatives of Redress.
  - 6 May: TFV Programme Manager in Uganda took part in the "Court Officials Virtual Interactive Forum with Northern Uganda stakeholders" following the sentencing in *Ongwen*.
  - 7 May: meeting with the International Federation for Human Rights.
  - 6 and 27 May: Board of Directors meeting (remote sessions).
  - 10 May: Board member Andres Parmas and TFV Secretariat meet with the Eastern European Group of States Parties, hosted by Czech Republic.
  - 16 and 20 May: the TFV Programme Manager in the DRC had a meeting, respectively, with the Minister of Justice, Ms Rose Mutombo Kiese and the Vice- Minister of Foreign Affairs of the DRC, Mr Samy Adubango Awotho.
  - 19 May – 19 June: TFV legal staff mission to the DRC to continue with the victims identification process in the *Lubanga* case, support implementation of *Katanga* reparations, as well as to prepare the initial draft implementation plan in the *Ntaganda* case.
  - 20 May: TFV (Uganda) together with Mukwege Foundation hold a meeting with Women's Advocacy Network and Golden Women's Vision.
  - 26 May: TFV (CAR) together with Country Office representatives organises a virtual meeting with the Danish Embassy based in Abuja-Nigeria to present the TFV assistance programme in CAR.



- 27 May: TFV (CAR) participates in a consultation organized by the UNDP and MINUSCA on the ongoing research on reparation modalities linked to the transitional justice mechanisms.
  - 28 May: TFV, including the Board Chair, participates in the annual ICC-NGO roundtable meeting.
  - 26 and 27 May: application materials and requests of proposal are sent to eligible candidate organisations for the assistance programmes in Georgia and Kenya.
  - In the course of May and into June: TFV holds bilateral meetings with representatives of Canada, Cyprus, DRC, The Gambia, Germany, Ireland, Liechtenstein, Mali, the Netherlands, and Sierra Leone to discuss matters related to the TFV programmes.
- June:
    - 1 June: Board of Directors meeting (remote session).
    - 1 June: TFV (CAR) participates in a workshop organized by Mukwege Foundation in relation to assistance measures for SGBV victims.
    - 8 June: TFV submits Initial Draft Implementation Plan ('IDIP') to Trial Chamber in *Ntaganda*.
    - 10 June: TFV (CAR) participates in a workshop organized by the *Cour penale speciale de la Republique Centrafricaine* ('CPS') in collaboration with MINUSCA, UNDP and victims' organisations in relation to the transitional justice mechanisms.
    - 11 June : Board Chair Mama Koité Doumbia meets H.E. Félix Tshisekedi, President of the DRC.
    - 16 June: Board member Minou Tavárez Mirabal and TFV Executive Director participate in an informal breakfast meeting, hosted in New York by Liechtenstein, and provide updates on TFV activities to over 50 Ambassadors, country representatives, and NGOs based in New York.
    - 17 June: TFV staff in CAR is interviewed by Radio Ndeke Luka.
    - 19 June: TFV (CAR) co-organizes, with the the Country Office, the celebration of the International Day for the Elimination of Sexual Violence in Conflict, with the participation of victim associations, CAR Government officials, representatives of UN organisations, media, and civil society organisations.
    - 22 June: TFV submits observations on the *Ntaganda* Defence request for suspensive effect of the appeal against the Reparations Order upon invitation of the Appeals Chamber.
    - 20 -23 June: Board member Andres Parmas visits The Hague to meet TFV Secretariat, ICC President and ICC Registrar.
    - 30 June: Board Chair Mama Koité Doumbia and TFV Secretariat meet with African Group of States, hosted by Senegal.
    - 30 June: the TFV Programme Manager in Côte d'Ivoire had a meeting with the new Minister of Culture of Mali.
    - Board approval of the Proposed Programme Budget ('PPB') of Major Programme VI - Secretariat of the TFV, with an increase of 5.9%. The overall increase of the Court's PPB for 2021 is 9.5%.

## B. Reparations and assistance activities

### I. Reparations activities

In the reporting period, the Trust Fund submitted confidential update reports to the Trial Chambers in the cases of *Katanga* (19 April 2021) and *Al Mahdi* (19 May 2021).

#### 1. Victim identification and verification in *Lubanga* and *Al Mahdi*

The Trust Fund continued to focus on the identification (*Lubanga*) and verification of victims to benefit from collective awards (*Lubanga*) and individual awards (*Al Mahdi*).

##### *Identification and collection (Al Mahdi)*

At the present stage, the Trust Fund is no longer proactively engaging in encouraging the submission of applications, nor deploying active efforts to identify more applicants. However, it is taking all necessary steps to ensure that potential beneficiaries who have not submitted an application yet have the opportunity to do so, including by allowing to contact the Trust Fund directly.

##### *Eligibility (Al Mahdi)*

During the reporting period, the TFV Board of Directors adopted 179 positive administrative eligibility decisions: 27 of them are decisions on applications arising from batches previously transmitted to the TFV by the Registry's Victims Participation and Reparations Section ('VPRS') and recently consolidated by the LRV; one decision concerns an application that was transmitted during Q1; and 151 decisions pertain to a batch of 160 applications transmitted by the VPRS to the TFV in June 2021.

##### *Individual reparations (Al Mahdi):*

During the reporting period, including July 2021, 108 beneficiaries were notified of a positive decision and 105 beneficiaries received their individual reparation award accordingly. The total number of beneficiaries who received their individual reparation award amounts to 237.

##### *Identification and verification (Lubanga)*

The identification process of victims in Lubanga remains hampered by the travel restrictions for Trust Fund staff and the LRVs from outside the DRC to travel throughout the Ituri Province. This process remains further hindered by the security situation in Ituri, which improved in certain parts but also worsened in other parts of Ituri. However, the TFV Secretariat together with LRVs have continued the identification and verification of potential victims remotely for LRVs based outside of the DRC and physically for LRV teams based in the DRC. As the security situation and COVID-19 restrictions persist, interviews in a similar setting were expected to continue in Q2 and Q3 2021 with potential beneficiaries. During the reporting period, including the first half of July, 351 applications for collective reparations have been established.

During the reporting period and during the month of July, the Board of Directors through Board chair Mama Koité Doumbia issued 230 positive eligibility decisions.

### *TFV Board administrative decision-making on victim eligibility*

The Secretariat is grateful for the continued engagement of Mama Koité Doumbia and Baroness Arminka Helić, on behalf of the Board, in relation to the review and approval of the Trust Fund's administrative eligibility decisions in these cases.

## **2. Collective reparations in Lubanga**

During the reporting period, the implementing partner for collective service based reparations hired the required staff members and concluded agreements with sub-contractors. In June, the TFV and the implementing partner discussed financial and administrative aspects of project management, monitoring and evaluation, confidentiality, data processing and protection, and activity reporting to enable judicial monitoring. On 1 July 2021, the Trust Fund transmitted a list of victims to the implementing partner composed of the 425 applicants determined to be beneficiaries by Trial Chamber II's Decision dated 15 December 2017. The partner is currently in the process of contacting the victims and identifying their needs to start implementation of the reparations. The TFV will provide lists of eligible victims on an ongoing basis to the implementing partner.

Regarding the collective symbolic reparations, the implementing partner has been selected and notified. The contracting process is ongoing.

## **3. Collective awards in Katanga**

During the field mission of two TFV legal staff members to Bunia between 19 May and 19 June, further preparations were secured for the housing assistance and the psychological support, as well as for advancing all remaining IGAs to the extent feasible.

Following the improvement of the security situation in Ituri, the Trust Fund reprised its implementation activities in June and accomplished the following results:

- Payment of school fees for the four remaining beneficiaries, thereby fully completing the educational assistance modality;
- Implementation of IGAs through purchase of motorcycles, fuel and cattle to near completion and purchase of fish to full completion;
- Cash payments to two beneficiaries in exceptional circumstances.

Following the Trial Chamber's approval, on 5 May 2021, of the jointly submitted implementation plan for the housing modality, the Trust Fund and the LRV are currently concluding preparations to start building activities in September/October 2021, if the public health and security situations allows.

On 1 June 2021, the Trust Fund contracted a psychologist, in charge of the full implementation process of the psychological support modality. The psychologist has first focused on the development of a pamphlet on post-traumatic stress disorder, which is to be distributed to beneficiaries within the affected communities as part of the educational component of the award. The consultant also engaged a locally based psychologist to organise collective information meetings with beneficiaries, as soon as the public health situation allows.

#### 4. Collective reparation awards in *Al Mahdi*

The TFV held several meetings with its implementing partners, CFOGRAD and CIDEAL, in order to coordinate their actions within the framework of the collective reparation awards in *Al Mahdi*.

The TFV continued discussions with UNESCO in relation to a partnership agreement, which is expected to be finalised and ready for signature in October 2021.

#### 5. *Ntaganda* reparations proceedings: implementation plan<sup>2</sup>

On 8 March 2021, Trial Chamber VI issued the Order for Reparations and ordered collective reparations with individualised components in favour of direct and indirect victims, assessing the amount of Mr Ntaganta's liability for such reparations at USD 30 million. The Chamber instructed the Trust Fund to submit a draft implementation plan ('DIP') by 8 September 2021, as well as an urgent plan for priority victims by 8 June 2021. The timeline for the DIP was extended until 17 December 2021 upon request of the TFV due to the newly imposed travel restrictions caused by COVID-19 in July 2021. The Board of Directors assigned Mr Parmas as focal point for the Board on matters relating to the *Ntaganda* case.

On 8 June, the Trust Fund submitted its initial draft implementation plan ('IDIP') with focus on priority victims addressing victims with urgent needs. The LRVs, the Defence and the Registry submitted their observations to the IDIP raising a number of concerns. The Trust Fund filed its reply on 28 June 2021. On 23 July 2021, the Chamber approved, subject to certain conditions, two of the projects proposed in the IDIP, and granted the Trust Fund request to vary the time limit to submit the DIP until 17 December 2021.

The measures that were approved are for the benefit of Priority Victims with urgent needs only. Measures for the benefit of an entire group of Priority Victims as proposed for the Child Soldiers were therefore not approved. These measures will be included for approval in the DIP.

The approved measures are:

- Increase by a maximum of 150,000 EUR of the assistance project conducted by AMAB with a view to assist Victims of the Attack with urgent physical, psychological and material needs.
- Increase by a maximum of 150,000 EUR for extending the geographical scope of the assistance project conducted by COOPI for the benefit of in particular child mothers and their children born out of rape and sexual slavery but also of other victims of SGBV.

The Trial Chamber also set out certain rules, to which the Trust Fund will need to adhere, in line with comments made by the LRVs and the Trust Fund (e.g. financial separation of assistance and reparation programme related costs). The Trust Fund will need to report to the Trial Chamber on a bi-monthly

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<sup>2</sup> As closely connected to the reporting period, this section will also include judicial developments occurred in July 2021. Further reporting will be provided in the TFV Management Brief Q3/2021, covering the period 1 July – 30 September 2021.

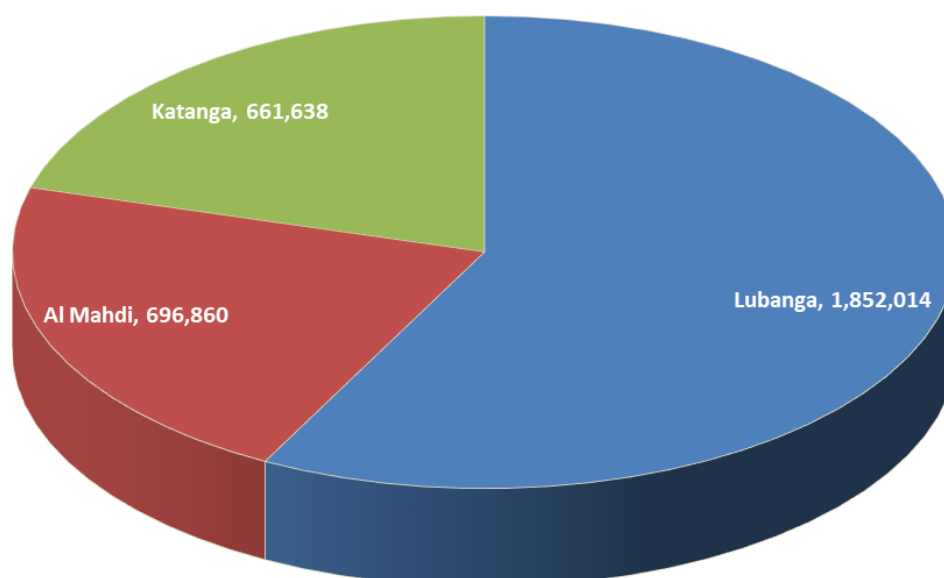
basis. Furthermore, the Trust Fund will need to develop in cooperation with VPRS and LRV a way to identify and verify whether the relevant victims can indeed be beneficiaries of the *Ntaganda* urgent reparation implementation measures.

Upon approval of the IDIP, the Trust Fund contacted the two implementing partners and requested them to develop a concrete plan within the shortest possible timeline.

## 6. TFV investment in Reparation Programmes

The below charts summarise the current total investment in Reparation Programmes of EUR 3,210,512, specified per reparation case, as at 30 June 2021. In the year 2021 to date, the TFV has accounted for the following contract values: in the *Lubanga* case, EUR 1,852,014 with one implementing partner; in the *Katanga* case, EUR 661,638 implemented directly by the TFV; and in the *Al Mahdi* case, EUR 696,860 implemented through implementing partners and individual reparations implemented directly by the TFV.

**Reparations Programmes with Implementing Partners (Current Contract Values)**



**Total Investment Reparations Programmes: €3,210,512\*\***

*\*Katanga and Al MAhdi individual reparations awards ongoing and through TFV direct implementation*

*\*\* Amount of contract values/USD Exchange rate @ June 21*

*Indirect costs included in contract values*

The below graph corresponds to the liability values under reparations as per Trial Chambers decisions and current Board Allocations:

In the *Lubanga* case, the liability amount set by the Trial Chamber was USD 10 million (equivalent to EUR 8,380,000 at June UN exchange rates). As at 30 June 2021, the Board has complemented an amount of EUR 4,150,000 from its extra-budgetary resources, which is 50% of the total liability amount. The TFV continues its fundraising efforts for the remaining EUR 4,150,000 as part of its

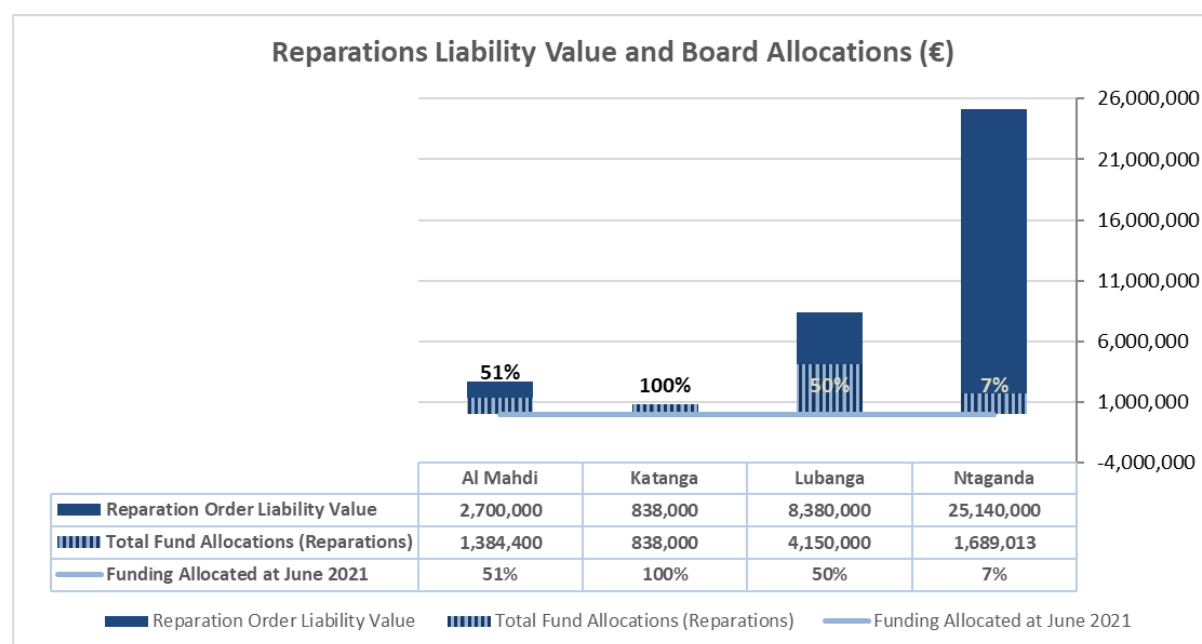
ambition to fully complement the total liability amount in the *Lubanga* case. In the *Katanga* case, the Board has fully complemented the total liability set by the Trial Chamber at USD 1 million (equivalent to EUR 838,000 at June 2021 UN exchange rates).

In the *Al Mahdi* case, the TFV Board has complemented 51% of the liability amount, set by the Chamber at EUR 2,7 million. The TFV has a proposal in the pipeline with a prospective donor, to raise the remaining EUR 1,384,400.

In the *Ntaganda* case, the liability amount set by the Trial Chamber is USD 30 million. The TFV Board allocated the amount of EUR 1,500,000 from its reparations reserves fund, and received an earmarked contribution of AUD 300,000 from Australia.

### Reparations

Case	Reparation Order Liability Value	Total Fund Allocations (Reparations)	% Reparation Funding Allocated
Al Mahdi	2,700,000	1,384,400	51%
Katanga	838,000	838,000	100%
Lubanga	8,380,000	4,150,000	50%
Ntaganda*	25,140,000	1,689,013	7%
Ongwen			



## **II. Assistance activities**

### **1. Northern Uganda**

The impact of the COVID-19 pandemic worsened in Uganda during the past quarter and several TFV implementing partners suffered from this situation. In response to the infection rate, the government imposed a very strict lockdown in June 2021 which saw a ban on public and private vehicles, inter-district travels and large gatherings.

Implementing partners in northern Uganda continue to employ their adaptive implementation measures to comply with COVID-19 restrictions. For example, some activities including counselling sessions, victim follow-up consultations occur by telephone. Many rehabilitation activities have continued though under different arrangements that now require fewer victim beneficiaries per group and consequently a greater number of groups with the programme. Surgical interventions had resumed during the quarter and two camps were conducted. However, from June, the infections went up and the situation in hospitals worsened significantly.

### **2. Democratic Republic of the Congo**

The Board approved the DRC second-year assistance programme (May 2021 – April 2022) with ten projects to remain at the value of the first year, i.e. of a total value of EUR 1.257 million, continuing the contracts with nine implementing partners. Accordingly, this second cycle started on 1 May 2021. The tenth project is expected to be extended in Q4 2021, as it started in Q4 2020.

Since the actual start of activities in July 2020, about 1,760 direct beneficiaries have received psychological rehabilitation, physical rehabilitation and material support, and about 3,000 persons participated in community peacebuilding activities. The number of beneficiaries is expected to further increase in the course of 2021.

Close monitoring, including field visits, is carried out by the TFV Programme Manager and staff, based in Bunia, in the Ituri Province.

### **3. Côte d'Ivoire**

The three implementing partners, contracted at a total value of EUR 299,433, continued consultations with the communities affected by the 13 selected incidents. On this basis, the implementing partners were able to design detailed action plans in relation to the different kinds of harm suffered as a consequence of each event; these action plans were reviewed in April 2021 by an advisory committee composed of representatives of national civil society associations and victim organisations.

The TFV discussed with the three implementing partners in May 2021 to develop a common methodology of action for the 13 events. In June 2021, the implementing partners started the phase of identifying individual victims who could benefit from the assistance measures.

#### 4. Central African Republic

##### *Pilot Programme*

Despite the current situation of political instability and the impact of COVID-19, the pilot project, which runs through August 2021, has made progress, notably in the areas of psychological rehabilitation, medical referrals, socioeconomic assistance and support for the education of victims' dependents.

In the reporting period, 506 home sessions were conducted by the TFV implementing partner, COOPI, concerning the 200 targeted beneficiaries (144 women and 56 men), who individually benefited from customized psychosocial therapy and trauma-based counselling.

Three psychosocial centres were installed and equipped to serve as training centres and to provide psychosocial and mental health support to all victim survivors in need, as well as to support the prevention of stigmatisation of HIV/AIDS-positive individuals.

During the reporting period, 1,200 individual counselling sessions were conducted in the three psychotherapy centres. Moreover, the 200 survivors of rape and sexual violence, participating in the pilot project, are sub-divided into 16 psychotherapy groups. In order to facilitate such psychotherapy sessions, seven psychosocial assistants and other staff were trained through a session on psychosocial therapy. Psychologists carried out 383 follow up home visits for family mediation and consultation. Five cases of mediation were reported successful, resulting in a return to normal family life.

A total of 53 rape survivors who are tested HIV/AIDS positive have received nutritional and dietary supplements, while undergoing antiretroviral treatment. All 200 survivors have benefitted from medical care. So far, 27 survivors living with gynaecological pathology as consequence of rape and sexual abuse were referred to the Mukwege Foundation for gynaecological treatment, including obstetrical surgery. A total of 178 survivors have been referred to Mama Carla Health Centre for medical services in relation to other diseases.

The pilot programme paid school fees for several dependents of victim survivors, and 80 children (44 young girls and 36 young boys) were able to regain access to education and receive school materials. Their performance at the 29 education institutions in Bangui, where they are enrolled, was monitored throughout the school year 2020-2021.

The pilot programme is contributing to the rent of 108 survivors, identified as homeless and displaced within the city of Bangui.

Upon receiving business training, 200 survivors received support to start-up a small business venture with the backing of a microfinance institution, which may assist in savings and loans activities at a later stage. COOPI, the TFV implementing partner, is ensuring daily follow-up and capacity building in relation to income generating activities.



### *Full assistance programme*

Starting from 9 March 2021, a comprehensive series of launch workshops with the five implementing partners were conducted for several weeks, until the beginning of April. These workshops aimed at facilitating the effective implementation of the programme, as adapted to the current operational context.

A formal notification in the form of a Note Verbale to the embassy of the Central African Republic in Brussels and key ministries in Bangui has been sent, followed by a press release in May 2021.

The press release announcing the launch of the TFV assistance programme was published on 26 April 2021 and disseminated through various media outlets in CAR.

The five implementing partners are carrying out victims' screening for the quinquennial assistance programme in collaboration with victims' associations and representatives.

By June 2021, the assistance programme addressed a total of 367 direct victims and a total of 449 direct beneficiaries (including family members of direct victims).

## **5. Georgia and Kenya**

Pursuant to calls for expression of interest in relation to both new assistance programmes, the Trust Fund received, ten and eight applications for Georgia and Kenya, respectively. On 26 and 27 May, application materials for a request of proposal were sent to seven eligible candidate organisations for Georgia, and to eight eligible candidate organisations for Kenya. Completed proposal are due to be submitted on 30 July 2021.

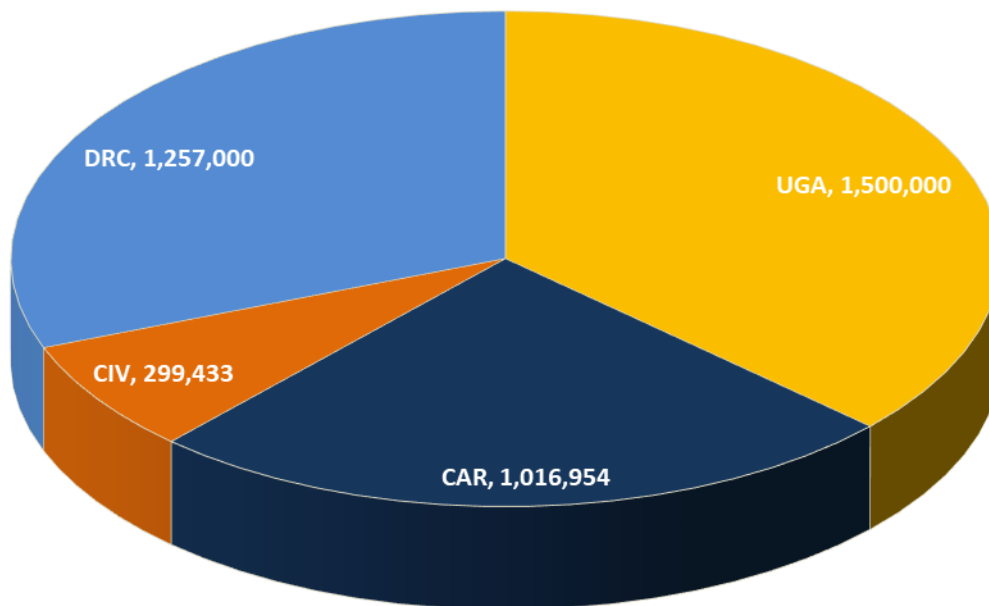
## **6. Mali**

A call for expression of interest was published in November 2020 and was closed in early January 2021. The Secretariat reviewed 12 expressions of interest received and shortlisted five eligible organisations; the organisations received the Request for Proposals in July 2021.

## **7. TFV investment in Assistance Programmes**

The below chart summarises the current total investment for the respective yearly contract values in 2021 of all assistance programmes, for a total of EUR 4,073,387, specified by situation, as at 30 June 2021. In the Central African Republic, the TFV has five implementing partners in the full assistance programme (effective 1 February 2021), alongside the pilot programme, with a total contract value of EUR 1,016,954; in Côte d'Ivoire, three implementing partner organisations with an expected second year contract value of EUR 299,433 (effective 1 November 2020); in the Democratic Republic of the Congo there are 10 partners for a total expected second year contract value of EUR 1,257,000 (effective 1 May 2021), and in Uganda, five partners for a total third year contract value of EUR 1,500,000 (effective 4 April 2021).

## Assistance Programmes with Implementing Partners *(current contract values)*



**Total Investment Assistance Programmes: €4,073,387\*\***

**\*\* Amount of contract values/ USD Exchange rate @June21**

### C. Operational impact of COVID-19 pandemic and security concerns

Working remotely continued to be the norm for staff in The Hague as well as in the country offices. Government travel restrictions and preventative measures in situation countries continue to affect the mobility of TFV staff and the activities of the TFV's implementing partners and counterparts. TFV staff members continue to participate in different sub-committees of the Court's COVID-19 Crisis Management Team ('CMT').

During the reporting period, the security situation continued to affect operations in most TFV situation countries heavily. In Bunia (DRC), travel outside the centre of the city is still not allowed for security reasons. The Trust Fund cannot either request beneficiaries or reparations applicants to travel to Bunia. In CAR, due to the increase in COVID-19 infection rate, several outreach sessions have been postponed and information was provided via radio and social media instead.

## **D. Organisational matters**

### **I. TFCV Board of Directors meetings**

During the reporting period, the TFCV conducted five remote meetings of the Board of Directors, on 1 April, 6 and 27 May, 1 June, and 6 July. During these meetings and via email communications, the Board took various decisions on funds allocations for assistance programmes, implementation of reparations awards, advocacy and fundraising efforts among others.

### **II. Policy setting**

Building on the improvements achieved in its working methods in the past year, the TFCV has made significant progress in discussing its governance issue, including a policy on working methods. On 6 July, the Board of Directors provisionally adopted a Policy on Working Methods and decided to request comments and views by the Registrar and States Parties before final adoption.

The TFCV further advanced in conceiving a fund management and investment policy, which will be submitted to the Board in Q4 2021 for its provisional adoption by the end of 2021.

### **III. Elections of members of the Board of Directors**

On 8 April 2021, the ASP Bureau elected Mr Andres Parmas, the current Prosecutor General of Estonia, as a TFCV Board member, succeeding Mr Gocha Lordkipanidze. Mr Parmas will serve for the remainder of the current term (until 5 December 2021) and may be re-elected once.

On 3 June 2021, the Secretariat of the ASP sent out a Note Verbale to all ICC States Parties ([ICC-ASP/20/SP/38](#)) regarding the decision of the Bureau to fix the nomination period of the seventh election of members of the TFCV Board of Directors, which ran for 12 weeks from 7 June to 29 August 2021.

The Note Verbale included three annexes: relevant resolutions for the nomination and election of the members of the Board which include establishment of a Trust Fund (ICC-ASP/1/Res.6 of 9 September 2002); procedure for the nomination and election of members of the TFCV Board of Directors (ICC-ASP/1/Res.7 of 9 September 2002); and desired competencies of the Board of Directors of the Trust Fund for Victims.

### **IV. Review of the International Criminal Court and the Rome Statute system - Review Mechanism**

The views of the Board of Directors on the IER Recommendations were integrated in the Court's overall response to the IER Report, submitted to the Review Mechanism on 14 April 2021 ([Overall response of the Court to the Independent Expert Review of the International Criminal Court and the Rome Statute System- Final report, pursuant to resolution ICC-ASP/19/Res.7, paragraph 5](#)). Separately, observations by the Board were included in an annex to the response.

In June 2021, the TFV submitted to the Review Mechanism a document relevant to the allocation and assessment duration for the recommendations that were categorized as falling within the TFV's responsibility.

The Board and Secretariat, as well as the ICC Registrar, participated in a series of informal meetings with States Parties, initiated and hosted by Sweden, about the IER recommendations in respect of the TFV, which allowed for the sharing of information and views.

## **V. Recruitment and mobilisation of staff**

### DRC:

- Associate Field Programme Officer (one GTA position at P2 level). The selected candidate withdrew in June 2021, and the recruitment was relaunched together with the positions in Côte d'Ivoire and Mali. The recruitment is expected to be finalised in Q4 2021.
- Field Programme Assistant (one GTA position at G5 level). The TFV has launched the recruitment process for this post in Q2 2021, and expected to be filled before the end of the year.

### Côte d'Ivoire and Mali:

The two vacant GTA positions were advertised in March 2021. The recruitment process is underway and the shortlists have been completed. The vacancy announcement was further extended to include the same position in the DRC following the withdrawal of the selected candidate. To cover the capacity gap in the two countries, a short-term appointment (STA) recruitment was launched in March 2021 for Côte d'Ivoire, while the STA for Mali has been extended until the end of 2021, pending the finalisation of the GTA recruitment of the same position.

### The Hague:

Two STA Communications Assistants; the selection process is ongoing.

### Consultancies:

- A Consultant for Public Resource Development has been identified; the recruitment is ongoing.
- A Consultant was hired to assist in developing the TFV new Performance Monitoring Plan to align with the TFV new Strategic Plan.
- A Consultant on Management Information System (MIS) to accompany the work of the MIS developers in developing the TFV online database was identified; contracting is ongoing.
- The SAP Grants Management Consultant has continued service throughout the reporting period.
- A Psychological consultant was hired to implement the *Katanga* collective award.
- One consultant for reparations to assist in *Ntaganda* reparations (appeal) and the *Ongwen* case has been identified.

## VI. Fundraising

### 1. Individual Contributions

In the reporting period, the TFV received individual contributions amounting to EUR 2,724 from private donors. Donations were made through a monthly deduction from ICC salaries, PayPal, or bank transfers. The TFV also received donations of speaking engagements from staff members. The TFV would like to encourage ICC staff members and individuals to continue supporting the TFV through financial and in-kind contributions.

### 2. Public Fundraising

The TFV received voluntary contributions from Australia (AUD 300,000 equivalent to EUR 189,000), and Italy (EUR 30,000, unrestricted).

The Australian funding is the first earmarked contribution to reparations in *Ntaganda*, focusing on survivors of sexual and gender-based violence. With the approval by the Board of the allocation of EUR 1.5 million, as mentioned above, the current total TFV complement for *Ntaganda* is at EUR 1,689,013 out of the USD 30 million liability amount of Mr Ntaganda for reparations.

The TFV and Ireland finalised an agreement on a voluntary contribution of EUR 300,000, which is a 50% increase on 2020, equally divided between reparations and assistance.

During the reporting period, the TFV continued its efforts to mobilise resources from public and private donors, including through bilateral meetings with representatives of current donors.

The Trust Fund continued its research to better understand the priorities of States Parties in the five regions, their past and present engagement with the TFV and the ICC, as well as their potential to become more involved in supporting the TFV and its mandate. This includes studies on current thematic priorities for developing assistance funding, matching geographical priorities and on specific themes.

The research concerned all five regions of States Parties: the African region (33 States Parties), the Asia-Pacific region (19 States Parties), the Eastern European region (18 States Parties), the Latin American and Caribbean region (28 States Parties), and the Western European and Other States region (25 States Parties). The Secretariat has identified 10 potential new or continued government donors from each region.

During the reporting period, the Trust Fund continued its discussions with a number of States Parties to explore several possible funding proposals, and meetings with States Parties both at the capitals and at embassies in country offices took place. The proposals focused on funding for reparations, assistance, and funding consideration focusing on sexual and gender-based violence.

### 3. Private Sector Fundraising

During the reporting period, the TFV continued to coordinate engagement on fundraising and visibility in two main areas: generating content to inform about TFV activities in the public domain; and actively pursuing fundraising opportunities, including in regard of private donors. The TFV is working to identify donors and funding opportunities.

*Fiscal sponsorship* - The negotiation of an agreement with potential fiscal sponsor organisation is currently underway, including with the support of the Registry's Legal Office.

*Donor database* - The TFV has conducted and finalized a restricted tender procedure to invite proposals for a donor relationship management tool, which will be essential to track and support donor identification, engagement and relationship management.

*Gift Acceptance Policy and Due Diligence on Private Donors* - The 2012 TFV Gift Acceptance Policy is currently being updated and the drafting of due diligence and vetting guidelines on private donors is ongoing.

*Skills development* - TFV internal training on visibility and private donors is ongoing. Two positions for consultancies (one for Public Resource Development and one for Communications) were advertised; the consultant for Resource Development has been identified and recruitment is ongoing.

*Prospect Research* - During the reporting period, the Trust Fund continued to conduct research on private sector fundraising prospects to build a comprehensive database of potential donors for the TFV to pursue.

*Contact with Prospects* - Contact with these prospects has been initiated to introduce the TFV with the attempt to begin a dialogue. Engagement with several of the prospects who have shown strong interest is ongoing. Additionally, proposal preparation has begun with four foundations for submission in 2021.

## VII. Visibility

The TFV, in close collaboration with the ICC Public Information and Outreach Section ('PIOS') and Country Office staff, continued to raise awareness about the TFV's activities. The TFV ensured civil society organisations were informed of TFV statements and activities through circulating all such information via the Coalition for the ICC. The language used in public communication efforts was targeted at a variety of audiences, ranging from professionals in the field of reparations and victim's rights to the general public in situation countries.

More detail on the event associated side events can be found in the section "Events and Advocacy" below.

## 1. Interaction with the ASP and the Court's Principals.

In April 2021, the Trust Fund held a virtual meeting with ASP Vice President Robert Keith Rae.

In June and July 2021, a number of in-person meetings were held at the Court headquarter by some Board members with ICC principals and the ASP Presidency. Between 20-23 June Board member Andres Parmas met the ICC President and the ICC Registrar, while in July Board Chair Mama Koité Doumbia met, at the HQ in The Hague, the ASP President, the ICC President, the ICC Prosecutor, and the ICC Registrar.

## 2. Events and Advocacy

Board members increased their engagement with their respective regional groups in virtual meetings, which provided the occasion to inform the States of the regions of the status of the TFV activities, and to present the Board's views on the IER report and funding needs. The following meetings were held:

- Board member Minou Tavárez Mirabal held a meeting with the Group of Latin American and Caribbean States on 23 March 2021, hosted by Costa Rica. Further to the initial meeting at the end of 2020, at this meeting the TFV introduced Ms Tavárez Mirabal as a new Board member representing the region in the TFV Board of Directors.
- Board member Sheikh Mohammed Belal held a meeting with the Group of Asia-Pacific States on 7 April 2021, hosted by the State of Palestine. Representatives from Bangladesh, Cyprus, Japan, Jordan, Mongolia, Republic of Korea and the State of Palestine participated in the meeting. Questions were raised related to the IER recommendations, the TFV's roles and response to the IER report.
- On 10 May, the TFV organised a meeting with the Eastern European Group of States hosted by the embassy of the Czech Republic in The Hague. At this meeting the TFV introduced Mr Andres Parmas as a new Board member representing the region in the TFV Board of Directors. The TFV also updated the Eastern European Group of States on its activities, mandates, voluntary contributions, and on developments regarding the IER recommendations. The TFV seized this opportunity to emphasise the importance of contributions from States Parties to its work. Ambassadors of the Czech Republic, Estonia and Poland attended this meeting as well as representatives from the embassies of Albania, Bulgaria, Georgia, Hungary, Latvia, Lithuania, Macedonia, Romania, Slovakia, Slovenia.
- On 30 June, the TFV organised its forth meeting with regional States Parties, this time with the African Group of States. This meeting was hosted by the embassy of Senegal in The Hague. At this meeting the TFV Board Chair Ms Mama Koité Doumbia, who represents the region in the TFV Board of Directors, provided the African States Parties with an update on TFV's activities, mandates and developments in terms of new cases and the IER recommendations. Ms Koité Doumbia stressed the importance of voluntary contributions, even of a symbolic amount, to demonstrate the support of States Parties to the TFV and the importance they place on its work.

- On 6 July, the TFV met the Group of Western European and other States, hosted by France. Board member Baroness Arminka Helić, coming to the end of her mandate, observed on change and progress being achieved by the TFV, including the Board playing a much more active role in strengthening the Trust Fund's development and performance. Recognising the complex challenge of the Rome Statute's reparative justice ambition, she called upon States and the Court to play their roles.
- On 16 June, Board member Minou Tavárez Mirabal and TFV Executive Director Pieter de Baan participated in the ICC ambassadorial meeting which was attended by 45 States Parties and 5 NGOs based in New York. During this meeting Ms Tavárez Mirabal and Mr de Baan provided the attendees with a briefing on the work of the Trust Fund for Victims.

In the month of April, the TFV held virtual bilateral meetings with the representatives of embassies of Bangladesh, Chile, Czech Republic, Japan, Republic of Korea, Poland, Sweden and the United Kingdom.

On 24 April 2021 Board member Minou Tavárez Mirabal participated at an event organized by the International Network of Latin American and Caribbean Women ('RIMLAC') and the University of Chile, on Women, Democracy, and Human Rights. The keynote speaker at this event was Ms Silvia Fernández de Gurmendi, President of the Assembly of States Parties with Ms Tavárez Mirabal as a commentator of remarks.

In May 2021, the TFV also engaged with civil society organisations. On 3 May a bilateral meeting was held with the CICC Convenor and Executive Director of Women's Initiatives for Gender Justice Melinda Reed. On 5 May, the TFV met Ruppert Skillbeck and Alejandra Vicente, respectively Director and Head of law of Redress. On 7 May, the TFV met Eleonore Morel and Delphine Carlens, respectively CEO and Head of International Justice at FIDH, as well as Raquel Vazquez Llorente, Permanent Representative to the ICC.

On 28 May, the Board Chair Mama Koité Doumbia represented the Board at the virtual round table meeting between the ICC and non-governmental organisations.

On 6 May the Trust Fund was among the speakers of "Court Officials Virtual Interactive Forum with Northern Uganda Stakeholders" following the sentencing in the Ongwen case. The event consisted of influential leaders (religious, cultural, local government) from northern Uganda and Court principals and personnel, as well as the TFV Programme Manager, discussing the sentence and the next steps in the judicial process, including reparations.

Between 20 and 23 June, Board member Andres Parmas travelled to The Hague to meet the TFV Secretariat and discuss matters pertaining to TFV's activities.

In June, the Board Chair, Mama Koité Doumbia met with H.E. Félix Tshisekedi, the President of the DRC, and H.E. Rose Mutombo Kiese, the Minister of Justice, in Kinshasa. At that meeting, the DRC



Government and the Trust Fund agreed to organise a high level joint event, hosted by the President of the DRC, with the participation of the civil society and diplomatic representation. Due to the additional restrictions imposed due to the third wave of COVID-19, this event has been rescheduled.

In the months of May and June, the TFC held bilateral meetings with the representatives of Canada, Cyprus, The Gambia, Germany, Ireland, Liechtenstein, the Netherlands, and Sierra Leone. Bilateral meetings were also held with representatives of the DRC and Mali to discuss matters related to the TFC programmes in these countries.

Following the ceremony to hand over the symbolic euros to the Malian State, and to the international community on 30 March in Bamako, on 1 April the Trust Fund participated in the inauguration of a monument to the victims of the crisis. The statue was placed in the garden of the National Museum, on the initiative of the Ministry of Culture and with the support of the Trust Fund. Its inauguration was presided over by the Head of State of Mali and the Chair of the Board of Directors; the Executive Director of the Trust Fund accompanied them to lay a wreath in front of the monument.

In addition, the State of Mali acquired and exhibited a work of art by internationally renowned artist Abdoulaye Konaté inspired by the crimes committed in the north and centre of the country. This ceremony, organised in the presence of the government, Timbuktu representatives and the cultural community, received extensive media coverage and was an opportunity to discuss the importance of reparations for victims in general, and for the victims of the Malian crisis in particular. The monument is now part of the Malian memorial landscape and the President of Guinea Bissau, H.E. Umaro Sissoco Embaló, paid his respects during his official visit to Mali on 26 June. On 30 June, the TFC Secretariat met with the new Minister of Culture to present its work on the *Al Mahdi* case and to follow up on the cooperation actions undertaken with his predecessor.

### 3. Press releases, statements, and reports

In the reporting period, the TFC published 8 press releases and news items:

- 8 April 2021 – [Andres Parmas elected member of the Board of Directors of the Trust Fund for Victims](#)
- 26 April 2021 – [Central African Republic: TFC now implementing full assistance programme](#)
- 12 May 2021 – [Ireland sends important message of support for reparative justice with EUR 300,000 contribution to Trust Fund for Victims](#)
- 31 May 2021 – [Australia makes AUD 300,000 contribution to Trust Fund for Victims, earmarked to \*Ntaganda\* reparations](#)
- 1 June 2021 – [Unveiling of Australian artwork gift to ICC, words by TFC Executive Director Pieter de Baan](#)
- 11 June 2021 – [Letter of Gratitude and Farewell to ICC Prosecutor Fatou Bensouda from TFC Board of Directors](#)
- 30 June 2021 – Chair's Statement for the regional meeting with the Group of African States on 30 June 2021, hosted by Senegal.
- 6 July 2021 – Baroness Arminka Helić's statement for the meeting with the Group of Western European and other States on 6 July 2021, hosted by France.

These Press releases and statements were distributed to a total of over 9.800 recipients, including Embassies, Missions, civil society organisations, journalists and other stakeholders. All public announcements and reports have been posted on the TFV website and on the ICC website.

#### 4. Website and Social Media

The internal coordination of communication activities within the Secretariat and the externally-focussed communications have continue to grow and be strengthened for a streamlined approach towards generating a volume of quality content in support of the TFV's visibility in the public domain and with donors. The TFV regularly coordinates with relevant Registry sections, as well the CICC to inform of new TFV contents and to provide inputs for content on ICC's social media accounts.

In the second quarter of 2021, the TFV posted 254 tweets and gained 110 new followers, totalling 1,717 followers. During this period, the TFV profile generated 407.000 impressions.

In this period, the TFV was also mentioned in more than 342 third-party tweets. Besides the ICC and the CICC, Twitter accounts of embassies, ambassadors, missions, journalists, UN agencies have mentioned the TFV or retweeted contents created by the TFV. These have helped the TFV increase its reach in disseminating information digitally. The TFV has worked with the Registry's PIOS and the CICC to inform about TFV's new contents and provided feedback for contents to be published on ICC's social media accounts.

#### 5. Outreach in Situation Countries

Public communication and outreach activities in situation countries continued to be hampered by the COVID-19 pandemic and related restrictions. The TFV was however able to conduct several outreach activities in the reporting period, mostly of a virtual nature and with the highly appreciated support of the Registry's Country Offices.

##### *Central African Republic*

On 26 May, the ICC Country Office in Central African Republic (COCAR) and the TFV organized a virtual meeting with the Danish embassy based in Abuja-Nigeria to present TFV assistance programme in CAR.

On 27 May, Trust Fund participated in a consultation workshop organized by the UNDP and MINUSCA in relation to the undergoing research on reparation modalities linked to the transition justice mechanism.

On 1 June, the Trust Fund participated in a workshop organized by Mukwege Foundation in relation to the holistic approach in providing assistance measures to SGBV victims.

On 10 June, the Trust Fund participated in a workshop organized by the *Cour pénale speciale de la Republique Centrafricaine* ('CPS') in collaboration with MINUSCA and UNDP with victims' organisation

in relation to the transitional justice mechanism. The Trust Fund presented its experiences in addressing the harm of victims and the restorative value of its assistance mandate.

On 17 June, an interview was carried out by Ndeke Luka journalists, and on 20 June 2021 *Magazine de la Justice*, a Radio Ndeke Luka broadcast, hosted a victim benefiting from the pilot program and representative of COOPI, TFV implementing partner, to inform victims and their communities, as well as the civil society, on the outlook of, and progress made by the Trust Fund's assistance programme in CAR (both pilot and full assistance programmes).

On 19 June, the Trust Fund coorganized with the COCAR the celebration of the International Day for the Elimination of Sexual Violence in conflicts, with the participation of victims associations, CAR government officials, UN Agencies, medias, journalists and civil society organisations.

On 22 June, a joint field visit with COCAR was organized to apprehend how this programme is performing and whether it has been responsive to the need of beneficiaries.

The Trust Fund is continuing to engage with stakeholders through informal and formal meetings with CSOs, including human rights organisations, UN agencies, including MINUSCA, CPS, government official and other stakeholders.

### *Côte d'Ivoire*

During the reporting period, the implementing partners continued their consultation with, and outreach to the communities and victims of the 13 incidents covered by the assistance programme to assess the different kinds of harm and collect the view and expectations of the victims.

From 9 to 11 June, the TFV was invited to participate as an expert in the seminar on "Victims and National Reconciliation" organised by the Ministry of National Reconciliation. Although the TFV could not be directly represented for force majeure, its intervention was transmitted to the Ministry and the implementing partners were able to participate, in the presence of all victims' associations.

### *Democratic Republic of the Congo*

On 16 and 20 May respectively, the TFV Programme Manager held meetings with the Minister of Justice Ms Rose Mutombo Kiese and the Vice-Minister of Foreign Affairs, Mr Mr Samy Adubango Awotho an effort to present the work of the TFV in the DRC and engage more with the government to support the work of the TFV. On 11 June, the Chair of the Board met H.E. Félix Tshisekedi, the President of the DRC, to further engage with the government and secure their commitment and support to the work of the TFV.

### *Mali*

In a follow-up to the symbolic euro ceremony held in Bamako on 30 March, numerous interviews and broadcasts were carried out and aired in early April on various Malian media, such as *Studio Tamani*, *Malikile*, *Le Sursaut*, *Le Soir de Bamako*, in five national languages (Bambara, Songhai, Fulani, Tamasheq and French) as well as on international media, including RFI, *Le Monde*, *Euronews*, in at least four languages (French, Arabic, English and Portuguese). These broadcasts or articles included interventions by the Chair of the Board, the Executive Director and other members of the Secretariat.

During the reporting period, the TFV and its Malian partners prepared the screening, in different locations in Mali (including Timbuktu), of films made at the ceremony. These screenings, scheduled for Q3 2021, should allow for debates on reparations with all communities. These screenings and debates will aim to extend the reach of the symbolic reparations ceremony and reach as many people as possible in the country.

### *Uganda*

On 20 May, the Trust Fund met representatives of the Mukwege Foundation, Women's Advocacy Network, and Golden Women's Vision to discuss programming for women and transitional justice.

On 25 May, the Trust Fund participated in a virtual meeting on Women's Senses of Justice and Reparation in Uganda.

## **VIII. Monitoring & Evaluation**

The TFV provided new implementing partners with technical assistance and advice in relation to their project monitoring and results reporting responsibilities, aiming at establishing a monitoring practice enabling effective and accurate progress reporting. Monitoring & Evaluation workshops to all implementing partners will be organized in Q4 2021 after completing the review on the TFV Performance Monitoring Plan. Meanwhile, the TFV is assisting partners who are implementing reparations in the *Lubanga* case to develop performance indicators, that will help to monitor the progress of implementation. This support is regularly organised to ensure proper monitoring of the programme. In addition, implementing partners in CAR received monitoring and evaluation capacity-building after the launch of the programme.

The TFV developed a beneficiary satisfaction survey, and a related app-based tool, in relation to individual reparations awards in *Al Mahdi*. The next activity is to train locally based interviewers to conduct the survey. This activity is on hold pending the identification of competent intermediaries to carry out interviews.

For the beneficiary satisfaction survey in relation to reparations in *Katanga* and for baseline surveys in *Lubanga* and *Al Mahdi*, the TFV will work with independent researchers that have been selected through a procurement process completed in December 2020. The TFV is at contractual negotiations with the successful vendor and expects to launch these evaluations in Q4 2021.

In Q1 2021 the TFV launched a procurement process for a Management and Information System ('MIS') that will help the TFV improve programme management data as well reporting obligations. The procurement is still ongoing and the TFV expects it to be completed in Q3-Q4 2021.

In the reporting period, the TFV started to update its Performance Monitoring Plan ('PMP'), a document that helps the TFV to visualise its targets through developing a theory of change that illustrates how desired outcomes are expected to happen in the next three years. This theory of change is also guiding the development of Trust Fund's new key performance indicators that will assist to measure the impacts of the TFV programmes as well as the performance of both the TFV and that of its implementing partners. The PMP is expected to be finalised and rolled out before the end of 2021, as an integral part of the next Strategic Plan.

## **IX. Finance and internal control**

The final External Audit took place from 17 May to 4 June 2021. The TFV provided documents and answers in response to queries to facilitate the overview of the status of its accounts. During this time, the status of the recommendations was discussed. Of the four open recommendations, three were closed, and one considered partially implemented.

In the reporting period, the TFV continued with a consultant to review and update the SAP Grants Management module to accommodate reporting needs under the reparations mandate as well as to strengthen the internal financial control. A thorough review of the Management Assessment overview form took place during the reporting period to facilitate how TFV Programme Managers can assess the administrative and managerial stability of implementing partners.

## **X. Grant Management: internal sessions**

The TFV continued the bi-monthly routine of remote Grant Management sessions. In the reporting period, five sessions were held remotely, which covered the following issues: reparations principles and analysis of *Ntaganda* Reparations Order (7 April); procurement processes in reparations (21 April); implementing partners audit (5 May); review of implementing partners budget (19 May); new template for quarterly budget report (2 June).

Notes and insights of the grants management sessions are used to strengthen operational performance and will also serve to codify the TFV's grants management procedures and practice in Q3-Q4 of 2021 and ahead.

## E. Financial Overview

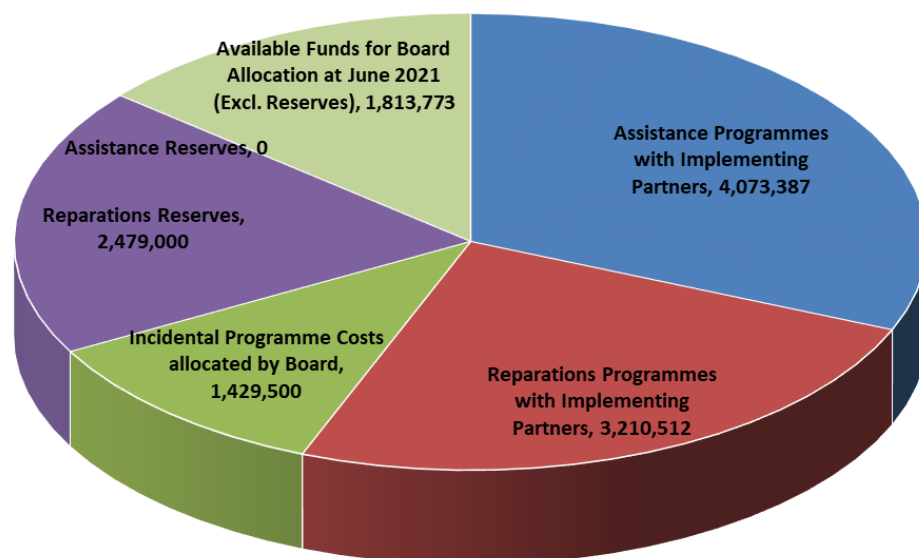
### I. Financial overview of extra-budgetary resources

The Summary Financial Overview below presents the state of affairs of the Trust Fund's extra-budgetary resources resulting from voluntary contributions, donations and revenue from Court-ordered fines and forfeitures. **The Summary's financial data are not yet audited and may be subject to adjustments.**

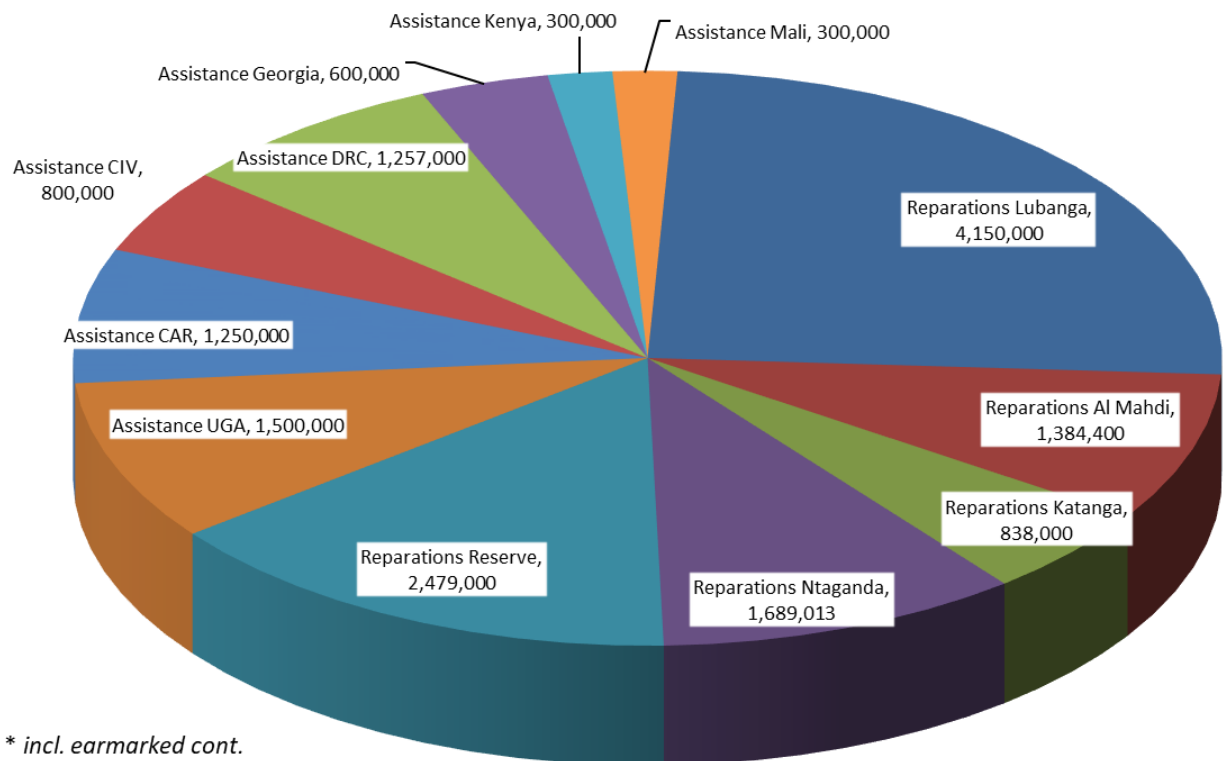
The below charts illustrate (1) the allocation of resources to each of the mandates and Incidental Programme Costs ('IPC') as well as the amounts under Reparations Resources and Assistance Resources (referred to as Reserves) and (2) the specific amounts allocated to various assistance programmes (on a calendar year 2021 basis) and the complements for reparation.

EUR 3,210,512 are allocated for complements of reparation cases; the amount of EUR 4,073,387 for 2021 contracts with partners in assistance programmes and EUR 1,429,500 for IPC. The chart also shows the current total amount for the Reparations Resources (referred to as Reserve) (EUR 2,479,000). The total funds available for Board allocation at 30 June 2021 (excluding Reserves) is EUR 1,813,773.

**TFV Portfolio Distribution at June 2021 (€)**



## Breakdown of Programme Allocations by TFV Board\*



\* incl. earmarked cont.

Values relate to current Cycle Programmes

## Trust Fund for Victims - SUMMARY Financial Overview as of 30 June 2021 (UN Operational Rate 30 June 2021)

<b>Total available funds</b>	<b>€16,148,810</b>
<b>Total allocated funds</b>	
<b>Reparations</b>	
<i>Board to cases</i>	€6,324,467
<i>Board to reparations reserve</i>	€475,533
	€6,800,000
<i>Donors earmarked to reparations awards</i>	€1,736,946
<i>Donors earmarked to reparations reserve</i>	€1,673,467
<i>Fines and forfeitures</i>	€330,000
	€3,740,413
<b>Sub-total reparations</b>	<b>€10,540,413</b>
<b>Assistance</b>	
<i>Board to assistance programmes</i>	€9,989,183
<i>Board to assistance reserve</i>	€0
	€9,989,183
<i>Donors earmarked to assistance programmes</i>	€250,000
<b>Sub-total assistance</b>	<b>€10,239,183</b>
<b>Incidental Programme Cost</b>	<b>€1,429,250</b>
<b>Total value</b>	<b>€ 22,208,846</b>
<b>Total Non-allocated funds</b>	<b>-€6,060,036</b>
<b>Total disbursed funds</b>	<b>€7,873,809</b>
<b>Most recent Board's allocations</b>	
<i>Assistance DRC</i>	€1,257,000
<i>Increase reparations funds</i>	€1,000,000
<i>Ntaganda case</i>	€1,500,000
<b>Net value</b>	<b>€3,757,000</b>
<b>Sub-Total funds available for Board allocation</b>	<b>€1,813,773</b>
<i>Non-allocated reparations funds</i>	€475,533
<i>Non-allocated assistance funds</i>	€0
<b>Total funds available for Board allocation</b>	<b>€ 2,289,306</b>



## Notes on the Summary

The Summary Financial Overview includes:

- Total available funds include the amount of funds in the TFV accounts at the beginning of the period: EUR 16,148,810.
- Overview of Board-approved allocations to reparations and assistance activities, including specific allocations to awards and programmes as well as non-specific resources held in reserve for future activities. NB: these allocations have been made in accordance with regulation 56 of the TFV Regulations (see chart below with allocation of funds in current cycle).
- Revenue from fines and forfeitures: EUR 330,000.
- Incidental Programme Cost Provision: EUR 1,429,500.
- Total funds available for allocation, to be approved by the Board\*: EUR 2,289,306 which includes EUR 475,533 in the Reparations Resources (referred to as Reserves).

\*IMPORTANT: the sum of “total funds available for allocation” should not be considered to be free from conditionality. The continuation of the portfolio of multi-annual reparations awards and assistance programmes will require the TFV to use currently available resources as well as continue to generate revenue to ensure the financial sustainability of activities. The current total estimation of multi-annual funding needs for reparations awards and assistance programmes amounts to Euro 31 million. This is a maximum value: the values of actual Board allocations to specific future activities may be informed by performance of implementing partners, availability of resources and other relevant policy parameters.

## II. Secretariat of the TFV budget performance in 2021

The below table illustrates the TFV Secretariat’s appropriations and expenditures at 30 June 2021, and the expected forecast.

It should be noted that some expenditures under staff costs are to be further reclassified to the approved Incidental Programme Cost budget and removed from the TFV Secretariat’s expenditures.

The current projections include similar level of activities, with some adjustments related to future travel for the remainder of the year.

The TFV Secretariat is projecting to implement in full the 2021 approved budget.

*Secretariat of the Trust Fund for Victims*

<i>Commitment Items</i>	<i>2021 Appropriation</i>  <i>[a]</i>	<i>Total Expenditure to date (30 June 2021)</i>  <i>[b]</i>	<i>2021 Variance against Appropriation</i> <i>[c]=[a]-[b]</i>	<i>Actual Implementation rate in %</i>  <i>[d]=[b]/[a]*100</i>	<i>Jul-Dec Forecast</i>  <i>[e]</i>	<i>Total Forecast</i>  <i>[f]=[b]+[e]</i>	<i>Forecasted Implementation rate in %</i>  <i>[h]=[f]/[a]*100</i>
Posts, Staff Costs	1,164.6	552.0	612.6	47.4	694.4	1,246.4	107.0
	<i>1,164.6</i>	<i>552.0</i>	<i>612.6</i>	<i>47.4</i>	<i>694.4</i>	<i>1,246.4</i>	<i>107.0</i>
General temporary assistance	1,722.4	747.0	975.4	43.4	925.4	1,672.4	97.1
	<i>1,722.4</i>	<i>747.0</i>	<i>975.4</i>	<i>43.4</i>	<i>925.4</i>	<i>1,672.4</i>	<i>97.1</i>
<b>Total Staff and other Staff Cost</b>	<b>2,887.0</b>	<b>1,298.9</b>	<b>1,588.1</b>	<b>45.0</b>	<b>1,619.8</b>	<b>2,918.8</b>	<b>101.1</b>
Travel	144.9	60.7	84.2	41.9	93.2	153.9	106.2
Hospitality	1.0	-	1.0	-	1.0	1.0	100.0
Training	19.2	-	19.2	-	5.0	5.0	26.0
Consultants	40.2	48.5	(8.3)	120.6		48.5	120.6
Contractual Services	99.3	87.1	12.2	87.7	13.0	100.1	100.8
General operating expenses	5.0	0.8	4.2	15.2	1.0	1.8	35.2
Supplies and materials	3.0	1.1	1.9	37.8	1.0	2.1	71.1
Furniture and equipment	-	-	-	x		-	x
<b>Total Non-Staff Cost</b>	<b>312.6</b>	<b>198.2</b>	<b>114.4</b>	<b>63.4</b>	<b>114.2</b>	<b>312.4</b>	<b>99.9</b>
<b>Total Costs</b>	<b>3,199.6</b>	<b>1,497.1</b>	<b>1,702.5</b>	<b>46.8</b>	<b>1,734.0</b>	<b>3,231.1</b>	<b>101.0</b>

## F. Concluding management observations

Manifestations of the COVID-19 pandemic continue to affect the Trust Fund's reparations and assistance activities. The limited ability of staff and partners to travel and engage is constraining in particular such activities as the verification of victims eligible to benefit from reparation awards, the preparation of the implementation plan in *Ntaganda* and the development of observations in *Ongwen*. Conflict related violence in eastern DRC, northern Mali and in CAR further compromises the living conditions of beneficiaries and their communities. So far, TFV programmes, while suffering some delay, have avoided suspension of activities. As conditions are exerting a constant stress on staff and implementing partners, requiring careful monitoring and support by management, the Trust Fund carries out activities at increasing levels of volume, intensity and complexity.

In the *Ntaganda* reparation proceedings, which entered its post-order administrative phase by the end of the first quarter of 2021, the TFV developed and submitted a Initial Draft Implementation Plan ('IDIP'), to benefit vulnerable victims with urgent needs. Based on comments and views expressed by parties and participants, and the TFV reply thereon, the Trial Chamber approved, subject to certain conditions, the IDIP in July 2021. The Secretariat - legal and DRC field staff - is addressing the matters raised by the Chamber, and is also developing the Draft Implementation Plan in *Ntaganda*, to be submitted to the Chamber in December 2021.

Interaction between the TFV Board and Secretariat led to the conceptualisation and drafting of a Policy on Working Methods, of which the provisional draft is approved by the TFV Board for external stakeholder consultation. The Working Methods Policy will be an important step to clarify and organise the role and responsibilities of the TFV's leadership body, as well as its relation to the TFV's executive and operational functions at the Secretariat. Corresponding with the Trust Fund's evolution, this policy will be an important legacy document for future TFV leadership, Board and executive, as well as a significant achievement in transparency and external accountability of the Trust Fund, as a whole. Other policy initiatives at the TFV is taking place in relation to fund management and investment, resource mobilisation and private fundraising and donor vetting.

The Review Mechanism's Comprehensive Action Plan ('CAP') brought us to the business end of dealing with the findings and recommendations of the Independent Expert Review. The CAP initiates the formal assessment process of the IER recommendations and their implementation, such as will be thought necessary. The Trust Fund welcomes the responsibility to lead the assessment process in relation to certain important recommendations, and will proceed to do so in full consultation with the Court, especially Registry and Judiciary, and all relevant stakeholders. The Trust Fund is mindful to blend addressing immediate concerns and necessary improvements, with maintaining regard of the "long view", on how reparative value can and should be delivered to victims, as a meaningful and sustainable response to the harm they have suffered.

The Court and the Trust Fund are closely intertwined. The support and confidence of States Parties is required to enable delivery on the spirit and promise of the Rome Statute, and in particular the centrality of victims and their right to reparative justice.

## Annex 1: FILINGS and DECISIONS relevant to the TFV – 1 April 2021 to 30 June 2021 (with links to the TRIM database)

### CASES

#### *The Prosecutor v. Germain Katanga (ICC-01/04-01/07)*

LRV	Version publique expurgée avec une annexe confidentielle ex parte réservée au Représentant légal et au Fonds au profit des victims  Observations déposées en exécution de l'Ordonnance relative à la requête du Fonds au profit des victimes du 19 octobre 2020 sollicitant l'approbation de la Chambre du mode de mise en oeuvre concernant l'aide au logement (ICC-01/04-01/07-3868-Conf)	21 Jun 2021	<a href="#">3877-Red</a>
TFV	Public Redacted Version of Fourth quarterly update report pursuant to regulation 58 of the Regulations of the Trust Fund for Victims	21 Jun 2021	<a href="#">3878- Red</a>
TFV LRV	Public Redacted Version of Joint submission on the housing assistance modality with Confidential Annex A	22 Jun 2021	<a href="#">3879-Red</a>
LRV	Version Publique Expurgée Observations relatives au <i>Fourth quarterly update report pursuant to regulation 58 of the Regulations of the Trust Fund for Victims</i> (ICC-01/04-01/07-3878-Conf)	21 Jun 2021	<a href="#">3880-Red</a>
LRV	Soumission relative à la publicité de la procédure	21 Jun 2021	<a href="#">3883</a>
TFV	Trust Fund for Victims' Request for Reclassification	21 Jun 2021	<a href="#">3884</a>

#### *The Prosecutor v. Thomas Lubanga Dyilo (ICC-01/04-01/06)*

LRV V02	Demande de reclassification comme « publiques » et d'expurgation des écritures des Représentants légaux V02 citées dans la décision ICC-01/04-01/06-3495-Conf-Exp du 14 décembre 2020, conformément à la deuxième ordonnance ICC-01/04-01/06-3504-Conf-Exp du 04 mars 2021 relative à la décision du 14 décembre 2020	31 Mar 2021	<a href="#">3509</a>
TFV	Trust Fund for Victims' Request for Reclassification	6 Apr 2021	<a href="#">3510</a>
LRVs OPCV	Public redacted version of ICC-01/04/01-06-3487-Conf dated 6 October 2020	7 Apr 2021	<a href="#">3487-Red</a>

	Joint application for information on victims involved in proceedings in both the Lubanga and the Ntaganda cases		
TFV	Public Redacted Version:  Thirteenth progress report on the implementation of collective reparations as per Trial Chamber II's decisions of 21 October 2016, 6 April 2017 and 7 February 2019  With Confidential ex parte Annex A only available to the LRV01, the Trust Fund for Victims and the VPRS, and Confidential ex parte Annex B only available to the LRV01, the LRV02, the OCPV, the Trust Fund for Victims and the VPRS	21 Apr 2021	<a href="#">3512-Conf-Exp</a>
LRV 01	Réponse au <i>Thirteenth progress report on the implementation of collective reparations</i> (ICC-01/04-01/06-3512) avec annexes du 21 avril 2021.  Version publique expurgée	5 May 2021	<a href="#">3513-Red</a>
TC II	Fifth Decision on the TFV's administrative decisions on applications for reparations	10 May 2021	<a href="#">3514</a>
TFV	Trust Fund for Victims' Second Request for Reclassification	12 May 2021	<a href="#">3515</a>
TC II	Second order on the reclassification of documents	28 May 2021	<a href="#">3517</a>
LRV 02	Corrigendum de la Demande consolidée de reclassification de documents comme « publics », en exécution de la deuxième Ordonnance ICC-01/04-01/06-3517 du 28 mai 2021	15 Jun 2021	<a href="#">3518-Corr</a>

***The Prosecutor v. Ahmad Al Faqi Al Mahdi (ICC-01/12-01/15)***

TC VIII	Decision Notifying the Election of a Presiding Judge	13 Apr 2021	<a href="#">385</a>
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***The Prosecutor v. Bosco Ntaganda (ICC-01/04-02/06)***

OPCV (CLR2)	Notice of Appeal of the Common Legal Representative of the Victims of the Attacks against the Reparations Order	8 Apr 2021	<a href="#">2668</a>
Defence	Defence Notice of Appeal against the Reparations Order, ICC-01/04-02/06-2659	8 Apr 2021	<a href="#">2669</a>
AC	Decision on the Presiding Judge of the Appeals Chamber in the appeals against the decision of Trial Chamber VI entitled 'Reparations Order'	9 Apr 2021	<a href="#">2670</a>
OPCV (CLR2)	Appeal Brief of the Common Legal Representative of the Victims of the Attacks against the Reparations Order	7 June 2021	<a href="#">2674</a>
Defence	Defence Appellant Brief against the 8 March Reparations Order	7 June 2021	<a href="#">2675</a>

TC II	Order for the submission of observations on the initial draft implementation plan with focus on priority victims	10 June 2021	<a href="#">2677</a>
TC II	Order setting a time limit for responses to the request for suspensive effect and invitation to the Trust Fund for Victims to submit observations on that request	11 June 2021	<a href="#">2678</a>
TFV	Public redacted version of “Report on Trust Fund’s Preparation for Draft Implementation Plan”, submitted on 8 June 2021  With Annex A Initial Draft Implementation Plan with focus on Priority Victims	14 June 2021	<a href="#">2676-Red</a>
TFV	Annex A Public redacted version of “Initial Draft Implementation Plan with Focus on Priority Victims” (“Initial Implementation Plan” or “IIP”)	14 June 2021	<a href="#">2676-AnxA-Corr-Red</a>
TFV	Observations on the Defence Request for Suspensive Effect and Request under rule 103 of the Rules of Procedure and Evidence	22 June 2021	<a href="#">2679</a>
OPCV (CLR2)	Public Redacted Version of the “Observations of the Common Legal Representative of the Victims of the Attacks on the Trust Fund for Victims’ Draft Initial Implementation Plan” (ICC-01/04-02/06-2680-Conf)	28 June 2021	<a href="#">2680-Red</a>
OPCV (CLR1)	Response of the Common Legal Representative of the Former Child Soldiers to the TFV Initial Draft Implementation Plan with focus on Priority Victims	23 June 2021	<a href="#">2681</a>
Registry	Registry Observations on the Trust Fund for Victims’ Initial Draft Implementation Plan	23 June 2021	<a href="#">2683</a>
OPCV (CLR1)	Response of the Common Legal Representative of the Former Child Soldiers to Mr Ntaganda Request for suspensive effect of the Reparations Order	25 June 2021	<a href="#">2685</a>
Defence	Response on behalf of Mr Ntaganda to the Trust Fund for Victims’ Observations and Request	25 June 2021	<a href="#">2686</a>
TFV	Public redacted version of “Observations on the responses and observations submitted on the Initial Draft Implementation Plan”, submitted on 28 June 2021	28 June 2021	<a href="#">2687-Red</a>
OPCV (CLR2)	Public Redacted Version of the “Response of the Common Legal Representative of the Victims of the Attacks to the Defence Request for Suspensive Effect of the Reparations Order, to the TFV’s Observations on the Defence Request for Suspensive Effect, and to the TFV’s Request under rule 103 of the Rules” (ICC-01/04-02/06-2684-Conf)	30 June 2021	<a href="#">2684-Red</a>