

5 July 2012

**Subject: the nomination of candidates to serve on the Board of Directors of the Trust Fund for Victims**

Your Excellency,

I am writing on behalf of the Coalition for the International Criminal Court's (CICC), to urge your government to be seriously and urgently engaged in ensuring that very highly qualified candidates are nominated for election to the Board of Directors of the Trust Fund for Victims.

The Trust Fund for Victims (TFV) is one of the most innovative aspects of the Rome Statute system that seeks to recognize the plight of victims and better their lives either through implementing reparations orders of the Court or through its general assistance mandate.

In giving leadership and guidance to the Trust Fund as well as in attracting voluntary contributions, the Board is of pivotal importance in its further development. This is especially true in the current financial climate and at the critical point where the first reparations order through the Trust Fund could be made shortly. In this respect, Board membership is a position of great honour and responsibility. It is therefore of concern, that at the time of writing only one nomination has been submitted to the Secretariat of the Assembly of States Parties.

The Board's five members, serving in an individual capacity and on a *pro bono* basis, are elected by the Assembly of States Parties for a three-year term. The five seats are distributed according to the five major world regions. The next election of the members of the Board is scheduled to take place during the eleventh session of the Assembly of States Parties (ASP) in November 2012. **With the nomination period running from 16 May 2012 to 8 August 2012, the Coalition urges States to begin national and regional processes to identify candidates fulfilling the criteria listed below.**

**CRITERIA IN NOMINATING MEMBERS OF THE BOARD**

ASP Resolutions ICC-ASP/1/Res.6 and 7 provide some important, albeit broad, indications as to the criteria that members of the Board should meet: "The members of the Board shall be of high moral character, impartiality and integrity and shall have competence in the assistance to victims of serious crimes." Furthermore, members should be elected on the basis of equitable geographical representation and gender balance. Drawing from the experience of the Fund's operations, the Coalition is of the view that the criteria established in the resolution can be further developed and complemented in order to reflect more precisely the role and functions that the Board of Directors will have to fulfill in the coming years.

A range of different competencies should be individually and collectively possessed by the Board. In considering prospective candidates, the Coalition suggests that States Parties take into account the following criteria and elements. These are not presented in a particular order of importance, but seen as a "package" of qualifications that the Board can utilise.

**FUNDRAISING AND COMMUNICATION**

The members of the Board should have the capacity to raise substantial funds without which the Trust Fund will not have its desired impact. In this regard, candidates need to be excellent communicators, as they will be the "ambassadors" of the Trust Fund. A good network of contacts, that members can utilise in raising funds on behalf of the Trust Fund, would be of great benefit as would proven diplomatic skills and the ability to facilitate high-level negotiations with key actors.

### **SERVING VICTIMS' INTERESTS**

Given the nature of the Trust Fund's mandate, empathy and understanding of a victims plight is indispensable. Experience in working with victims of mass crimes or at least the ability to understand the complexity of their situation and victimization would be necessary. Previous experience, for example, working on national reparations programmes or working with an international claims body or a UN agency would be useful.

Widespread crimes of sexual violence is common to all situations currently under investigation of the Court. In light of the Fund's current and future work to assist victims of sexual violence, it will be important to have gender expertise among the Board members.

Nearly all projects and activities benefiting victims will be carried out in the situation countries of the Court. Field experience and the ability to travel where the Trust Fund's projects and activities are being implemented would therefore be highly desirable. Considering that the vast majority of projects are to be implemented by NGOs, previous "hands-on" experience of working with non-governmental organisations should be considered an asset.

### **OVERSIGHT AND MANAGEMENT**

Board members should have sound management skills and a good understanding of financial issues in order to be in a position to exercise oversight over the Fund's activities and projects. In this regard, previous experience in similar bodies would be valuable.

### **AVAILABILITY AND COMMITMENT**

Serving as a member of the Board of Directors requires great commitment as well as availability: members of the Board should be ready not only to attend the annual meetings of the Board, travel to visit projects on the ground, meet (potential) donors and attend meetings with States Parties such as the yearly ASP sessions, but also to discharge their functions throughout the year. That involves participation in occasional (telephone) meetings with other members of the Board and/or with the Trust Fund secretariat; availability to review and comment on documents and in general to follow the work of the overall action of the Fund in order to be able to exercise oversight. To fulfill these tasks smoothly, candidates should be fluent in at least one of the working languages of the ICC (English and French).

### **EQUITABLE REGIONAL REPRESENTATION**

Members from different regions and with different cultural backgrounds bring to the Fund different cultural insights that prove valuable for the purpose of identifying needs and appropriate forms of reparations or assistance to victim communities. Current communication techniques allow people based in different countries to work together despite space and time differences. Members of the Board should be dynamic people, ready to overcome such space constraints and work through telephone or video conferences, email and internet, etc. Since regional diversity is required, we encourage regions to coordinate within themselves with a view to finding the best suited candidates to represent the regions ahead of the final election.

For more information on the Trust Fund for Victims and its Board of Directors, please visit <http://www.trustfundforvictims.org> and <http://www.coalitionfortheicc.org/?mod=trustfund>.

We are grateful for your consideration of this matter.

With the assurances of my highest consideration,



**William R. Pace**

Convenor, Coalition for the International Criminal Court