

Trust Fund for Victims
8th Board Annual Meeting
21 March 2011

*Distinguished members of the Board of Directors of the Trust Fund for Victims,
Ladies and Gentlemen members of the Trust Fund's Secretariat,
Colleagues,*

On behalf of the International Federation for Human Rights (FIDH), it is an honour to have been invited and to take part in this meeting.

FIDH is an umbrella organisation for a network of currently 164 national human rights organisations from over 100 countries, including from the countries where the ICC is active. Our policies and programmes are informed and driven by our members' priorities. FIDH's mandate is to defend and promote human rights. The fight against impunity and supporting victims of serious crimes are among our main priorities. FIDH has had a programme on the ICC since the 1990s and a permanent delegation in The Hague since 2004. Our mandate is broad and, when it comes to our ICC programme, we work on a number of different fronts. However, we have given particular priority to monitoring and contributing to the implementation of victims' rights. For this reason, we have been following developments around the Trust Fund for victims from the very beginning, including by assuming the leadership of the CICC's Trust Fund Team.

As my colleague Alix has pointed out, this meeting takes place at a unique moment for the ICC and for the Trust Fund. With the first-ever ICC trial coming to an end soon, the eyes of the international community will soon be set on the ICC's and the Trust Fund for Victims' implementation of their reparations mandate.

Within this framework, I would like to offer a few observations in relation to the Trust Fund's current and future operations. In particular, I would like to focus on a few key challenges which we had identified in the past. These observations build upon the information and lessons learned included in the Trust Fund Programme Report issued in the Fall of 2010.

External partners, including donors and other States parties, have called for increased transparency in the Trust Fund operations, including through resolutions of the Assembly of States Parties.

We would like to acknowledge that there has been sound improvement in this area. The Programme Reports are a useful tool. We found particularly useful the last report which includes in-depth analysis of lessons learned and material which could be useful for the Court in preparing for reparations. Such an introspective analysis is very valuable. With

regard to the challenges and solutions identified which could be beneficial for the design of reparation orders, it would be helpful to know whether the Trust Fund is undertaking any initiative to ensure that this information reaches those who will be deciding on reparation awards.

However, it is relevant to note that Reports of this type may not satisfy all partners' information needs. We recognise that the Trust Fund works with a variety of different partners and that it must adapt communication strategies with each of them. For example, donors do not have the same information needs as implementing partners or potential implementing partners.

From our part, we can report that most of our partners in French-speaking countries continue to demand a greater level of transparency on how the Fund operates. We would also favour that in order to further clarify the process of selection of projects, the Trust Fund made public the process and results of its assessments on victims' and victim communities' needs in a particular country, which inform its decisions to frame tenders for assistance project proposals.

In this regard, we would also like acknowledge the greater transparency that the Trust Fund will have by moving into a process of open tenders. We have been looking forward to the process in the Central African Republic. While we understand that this may have been delayed due to the Pre-Trial Chamber's refusal to follow the approach proposed by the Fund, FIDH encourages you to initiate the open tender process in CAR as soon as practicable, especially considering that it will take some time from the moment the tender is out until assistance can be delivered in practice. Victims in the CAR suffered crimes as a result of a conflict which took place over seven years ago. Many of them, and this includes women and girls but also men and the elderly, have suffered crimes of sexual violence. As you know, victims in the CAR have received little attention, and little assistance, from the international community. The Trust Fund's assistance is, therefore, urgently needed.

In CAR, but also in other future rounds of projects, we appreciate and look forward to the involvement of victims in the design of projects, to priority given to partnering directly with grass-roots organisations, whenever possible, and to the Trust Fund's capacity-building efforts with regard to implementing partners.

External partners, including States but also NGOs like ours, have called for greater visibility and communication about the Trust Fund, especially in the field and among potential beneficiaries. Such communication is all the more relevant in light of the Fund's implementation of a first round of assistance projects and the Court's preparations for the first reparation award.

We work with local NGOs on international justice and the ICC-related issues in countries like the Democratic Republic of Congo on a daily basis. So, we are very well aware of the need to balance communication against security concerns. However, we submit that, if carefully done, increased communication on the Trust Fund in the field will contribute to both greater understanding of the Trust Fund among beneficiaries, potential beneficiaries and others, as well as increased security for victims and implementing partners. That being said, we appreciate the need to tailor and adapt communication to each situation and region, as well as to other conditions.

FIDH has encouraged the Trust Fund to increase its visibility by actively reaching out to affected communities. In this regard, we have recommended a more active partnership with the Public Information and Documentation Section at the ICC. FIDH has also favoured the design and implementation of a communications' strategy.

We also believe that it may be possible in certain cases to include an education-information component into projects, so that, where possible and relevant, implementing partners contribute to pass on a message on the role, structure and activities of the Trust Fund.

In this regard, we would like to reiterate that, in order for the ICC system to attain its goals of justice and redress, it is necessary that beneficiaries understand that the assistance (and later reparations) they receive are intended to redress the harm suffered as a result of the crimes they were victims of. Communication on this point is key for the beneficiaries to receive assistance and reparations as part of the more comprehensive response to conflicts intended by the drafters of the Rome Statute. We take note that this matter has been included among the lessons learned in your latest report, and trust that this Board will strive to make that a reality whenever possible.

I am coming to the end of my presentation. Before I conclude, let me express once again the gratitude of my organisation for the opportunity to have an open dialogue with you. We look forward to strengthened cooperation and dialogue with the Trust Fund.