



Fonds au Profit des Victimes
The Trust Fund for Victims



Trust Fund for Victims
Intervention of Amb. Kevin Kelly, Board of Directors

Commemoration of the 25th Anniversary of the adoption of the Rome Statute
The Hague, 12 July 2023

Your Excellency Mr Mayor,
Your Excellency Ambassador van der Kwast,
Madam President of the Assembly of States Parties,
Mr President of the International Criminal Court,

Ladies and Gentlemen:

Madam President, on behalf of the Chair of the Board of Directors, Ms Minou Tavarez Mirabal, I wish to thank you for inviting the Trust Fund for Victims to partner with you in the realization of this event and of the commemoration also taking place in New York next week. Your leadership over many years has made a very significant contribution to ensuring a focus on victims' rights in the Rome Statute system. As the Trust Fund for Victims we see ourselves as being fundamental to this critically important shared agenda. Thank you.

I also wish to thank the Government of the Kingdom of the Netherlands for their support for this exhibition and their essential contributions to the Trust Fund for Victims.

Your Excellences, the Rome Statute is a landmark instrument that very prominently places victims at the centre of the judicial process. As you know the rights of victims in the Rome Statute range from receiving information and proper communication, to participating and benefiting from legal representation in the proceedings, receiving protection, and ultimately being awarded due reparations for the harm suffered.

The Trust Fund for Victims of the crimes under the jurisdiction of the ICC is a critical entity created by the Rome Statute, and subsequently operationalized by the Assembly to realize this right to reparations.

As member of the Board of Directors, I am joined here today by my colleague Ambassador Sheikh Mohammed Belal. With three other colleagues from Eastern Europe, Latin America and Africa (who unfortunately are not with us today), we represent the Assembly's five regions. In my two years on the Board, it has been an honour to witness first hand reparative justice in action as it is experienced by victims directly, via the Trust Fund for Victims.

The role of the Trust Fund for Victims is multifaceted. Our primary responsibility, of course, is to ensure resources for the Fund. While the States Parties fund our core functions and the Secretariat through assessed contributions, voluntary contributions allow us to realize our ambition to maintain and replenish the Fund with capacity for implementation.

On behalf of the Board I wish to warmly thank the many representatives of States today for the total of over EUR 47 million of voluntary contributions received from 2004 to date, from 52 States Parties¹ from all regions of the world, and individuals, including ICC judges and staff. Throughout these years, the TFV received an average of EUR 2,4 million in voluntary contributions. I wish to recognize notably, Sweden, the largest contributor of the Trust Fund for Victims who has provided consistently throughout the past years more than EUR 11 million.

In 2023 so far, we have received or are in the process of receiving contributions from 11 States Parties: Austria, Belgium, Bulgaria, Chile, Czech Republic, France, Hungary, Latvia, New Zealand, Sweden and the United Kingdom. This of course does not include other states like Canada, Finland and my own country Ireland who have provided recent multi-annual funding that run into 2023.

Our donors, have expressed how their contributions to the Trust Fund for Victims reflect their alignment to key policy priorities such as promoting the rule of law, promoting human rights and in particular the rights of victims, and the fight against gender-based violence and impunity for international crimes.

On the occasion of this commemorative milestone, the Board of Directors strongly calls on all States Parties to provide contributions, within their means, either symbolically or substantially, to this most tangible and critical manifestation of international criminal justice.

In addition to fundraising, our other role is to put these funds to good use. We do so, by deciding how best to complement reparation orders in cases of convicted persons. We also develop plans for Chambers on how the reparation orders may be realized. We then work with the Registry and Legal Representatives of Victims, and we allocate funds to complement the liability of the accused persons.

The reparation programmes are varied. In the case against Mr Katanga in the Democratic Republic of the Congo, we directly implemented compensation and restitution measures for hundreds of victims of crimes of attacks, pillaging and destruction of property. In the case against Mr Lubanga also in the Democratic Republic of the Congo, the Trust Fund for Victims has been servicing more than 2,100 former child soldiers and about 350 indirect victims through reparations comprising physical, mental and socioeconomic rehabilitation, as well as symbolic measures. Since 2021, in relation to the Al Mahdi case, the Trust Fund for Victims has also been implementing reparations in relation to the destruction of mausoleums in Timbuktu, Mali. Our activities include compensating families of direct victims killed in the attacks by Islamic militias, working with UNESCO in the rehabilitation of the Mausolea, and working with communities to restore the oral history and reverse the economic and cultural damage of the Timbuktu community.

¹ Andorra, Australia, Austria, Bangladesh, Belgium, Bulgaria, Canada, Chile, Colombia, Cyprus, Czech Republic, Denmark, Dominican Republic, Democratic Republic of the Congo, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Netherlands, New Zealand, Nigeria, Norway, Philippines (before withdrawal), Poland, Portugal, Republic of Korea, Romania, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, United Kingdom and Uruguay.

In Mali, we are also implementing complementary programmes outside the Al Mahdi case, focusing on assistance with reparative value, for victims in communities other than Timbuktu equally affected by crimes under the jurisdiction of the Court. Similar reparative assistance programmes are in course in Uganda, with more than 68,000 direct beneficiaries; in the DRC for more than 53,000 direct beneficiaries, in the Central African Republic, Côte d'Ivoire and since this year in Georgia and Kenya.

We are grateful to the Court's Public Information and Outreach Section of the Registry for the partnership in this "Common bonds" Exhibition which also contains photographs and stories from individuals who have benefited from our programme in the DRC. They illustrate personal experiences of unimaginable violence, loss and harm but also stories of hope, healing and connection. These are stories of how reparation attempts to recognize and redress harm that victims of Rome Statute crimes have suffered. The pictures, beautiful in art and humanity, were taken by a renowned photographer commissioned by the TFV and the Court. These images give a face to the words contained in the Rome Statute, and connect you to the horror imposed by crimes and the resilience of human solidarity in realizing the human rights to life, dignity, integrity, health and economic wellbeing.

As the demands for justice and the jurisdiction of the Court continue to grow, the Trust Fund for Victims is called to expand its presence to ensure support for victims in all situations under the jurisdiction of the Court.

The Board of Directors, and our recently appointed Executive Director, Ms Deborah Ruiz Verduzco here joining us too, look towards the year ahead with great energy, anticipation and ambition. A major focus of the Board will go on increasing the visibility of our work in order to increase understanding about our activities and about the enormous impact that reparations and other programmes have on rebuilding lives, communities and the rule of law. Thank you for giving us this platform today to support that effort.

Let us celebrate this milestone with energy and determination.