

# **Annex C**

## **Public Version**



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



### **Annex C. Assessment of Selected TFV Priority Risks in Relation to the Implementation of Collective Reparations Awards in *Lubanga* Case**

<b>Risk</b>	<b>Description</b>	<b>Mitigation / Control</b>
<i>Risk of security to field operations, staff, implementing partners and victim beneficiaries</i>	Field operations are affected due to local external security issues. Field staff, implementing partners and victims are endangered. The occurrence of violence and conflict may impede or restrict access of project activities to certain geographical regions covered by the collective reparations programme. At the individual level, eligible victims may come under pressure or threat by elements in society disagreeing with the reparations order (and the related conviction) and thus seeking to prevent the participation of victims in the awards.	As a preventative measure that may also contribute to risk mitigation, the Trust Fund and its implementing partners will rely on the Registry for security assessments as well as security related training for staff of the Trust Fund and implementing partners. The Trust Fund and its implementing partners will maintain open communications channels with all relevant stakeholders in the affected communities throughout implementation, in order to minimise misperceptions and false information occurring around the programme.
<i>Risk of insufficient funds</i>	Available funds are insufficient to achieve the results set out in the draft implementation plan and the related detailed project framework(s). Alternatively, the allocation of funds to the different components of the collective reparations programme framework.	The Trust Fund will closely monitor and keep the Chamber informed of the ratio between the disbursement of funds and the level of participation of eligible victims, as well as the level of implementation and achievement of the awards. Negative deviations will be considered by the Trust Fund with a view to efficiency measures and the possibility to raise additional resources from donors. In the event of significant deviation between programme assumptions and the discovery of actual needs of victim participants, the Trust Fund will implement measures to address imbalances, including readjustment of budget lines of the concerned components of the awards, and report accordingly to the Chamber.

<i>Risk of loss of credibility due to implementing partners</i>	Credibility is undermined due to performance of the selected implementing partners, including financial irregularities.	In the eventual international competitive bidding procedure, the Trust Fund applies rigorous criteria to review and assess the eligibility of prospective implementing partners. The Trust Fund's field based staff perform quality controls on narrative and financial reporting, maintain permanent contact and undertake spot checks with implementing partners to verify their records and management and administrative compliance and performance.
<i>Risk of inappropriate programme activities</i>	Failing to achieve programme activities due to insufficient understanding or preparations. Potential of the programme to cause harm to eligible victims.	This risk was addressed in the draft implementation plan, as it was built on the insights and recommendations of international reparations experts as well as on the findings of an intensive field based consultation with victims and their communities. It is further addressed by the additional detail provided in the project frameworks submitted for both the symbolic and the service-based components. Additional mitigation may be informed by the information from the sample of newly-identified eligible victims shortly becoming available. Prior and during implementation, the risk of the collective reparations programme causing harm to eligible victim may be further mitigated by carefully evaluating the application of identification and screening methods and by adjusting programming, in as far as possible and appropriate.