The Victims’ Rights Working Group (VRWG) was established in December 1997 by organisations that have promoted the interests and needs of victims in criminal justice and human rights bodies. Its main objective has been to raise the awareness of governments and others (e.g., the press, other NGOs and the public), in all relevant fora, about victims’ issues, to ensure that the Statute and the Rules of Procedure and Evidence adequately provided for victims' rights to be protected and respected, and their needs and concerns to be met throughout the judicial process of the ICC. Particular attention has been paid to the need to ensure that the Court will render not only retributive, but also reparative justice, with the aim, inter alia, of preventing re-victimization, breaking cycles of violence and war, and providing reparations and rehabilitation for victims.

Member organisations of the Working Group issued numerous position and background papers, participated in all meetings, and proposed texts for [re]drafting the Statute and the Rules. The VRWG continues to be represented at meetings of the Assembly of States Parties, is actively promoting the development of sound operational structures for victims at the Court and will continue to advocate for the rights of victims to be respected by participants in proceedings before the Court. For further information please see: [http://www.vrwg.org](http://www.vrwg.org).

The Trust Fund for Victims was created by the Statute of the International Criminal Court to work alongside the Court’s reparative function to benefit victims of crimes within the jurisdiction of the Court, and their families. The Trust Fund is an historic institution essential for the realisation of the Court’s progressive reparative mandate and a crucial complement to the Court’s judicial processes.

**The Role of Victims Before the International Criminal Court**

The acknowledgement of the rights of victims and the inclusion of a central reparative mandate are key achievements of the Statute of the International Criminal Court. The Statute recognises the right of victims to be physically and psychologically protected from potential reprisals or from re-traumatisation through the process and to receive adequate support throughout the process. It also recognises the rights of victims to participate in proceedings and to apply for reparations before the Court. The Trust Fund is part of this series of unprecedented steps to fully acknowledge the rights and needs of victims.

**Establishment of the Trust Fund for Victims**

Article 79 of the Statute of the International Criminal Court provides that:

“A Trust Fund shall be established by decision of the Assembly of States Parties for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims.”

Rule 98 of the Rules of Procedure and Evidence then details the basic framework of such a fund. The Trust Fund for Victims was established on 9 September 2002 by the Assembly of States Parties. It is obliged to report annually to the Assembly of States Parties on the activities and projects of the Trust Fund and all voluntary contributions received.

**Functions of the Trust Fund for Victims**

The Trust Fund has three main functions. They are to:

- Actively seek out voluntary contributions and establish transparent procedures for the receipt and management of these and other resources transferred to it, including fines and forfeitures and funds from reparations orders;
- Implement reparation orders from the Court that the Court decides to transfer to it; and
- Determine appropriate uses for voluntary contributions to provide assistance to victims and their families.

**Reparations**

The principle of reparations goes far beyond the concept of financial compensation, and includes restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Reparations impact not only on the individual victim, but also on his or her family and community and the wider society. Reparations achieve this by contributing to the rebuilding of war-torn societies, advancing truth and acknowledging the gravity of the crimes committed. The core importance of reparation for victims has been recognised by the adoption of the *Basic Principles and Guidelines of the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law* by the Human Rights Commission in Geneva, April 2005.

**Assistance**
The Trust Fund may also use voluntary contributions to benefit victims of crimes within the jurisdiction of the court and their families, more broadly. The draft Regulations of the Trust Fund specify that voluntary contributions may be put to this end, once an investigation has been initiated. The needs of victims are often immediate and pressing, as demonstrated by the plight of HIV infected victims before the International Criminal Tribunal for Rwanda. The capacity of the Trust Fund to offer such needed assistance at an early stage is therefore vital to prevent any further suffering and loss.

**The Board of Directors**

The Trust Fund is managed by a Board of Directors elected for a term of three years by the Assembly of State Parties. Each member will serve in an individual capacity on a *pro bono* basis. The Board is currently composed of Madam Minister Simone Veil of France as Chair, Her Majesty Queen Rania Al-Abdullah of Jordan, His Excellency Mr. Tadeusz Mazowiecki from Poland, His Excellency Dr. Oscar Arias Sánchez from Costa Rica, and His Eminence Archbishop Emeritus Desmond Tutu from South Africa who represent their respective regions.

**Draft Regulations of the Trust Fund for Victims**

The draft Regulations explain how the Board of Directors will operate and set out in detail how the Board will deal with the receipt, management and use of funds. They also provide for a Trust Fund Secretariat to assist and support the Board with the day-to-day operation of the Trust Fund. The rapid adoption of the draft Regulations is vital for the effective operation and functioning of the Trust Fund. It is essential that States Parties consider carefully the implication of their approach to the draft Regulations and design the Trust Fund in such a way that the rights and needs of victims can effectively be met in practice.

**For more information on the Trust Fund for Victims, see:**

- Victims’ Rights Working Group (most recent publications):
- Website of the International Criminal Court: [http://www.icc-cpi.int](http://www.icc-cpi.int)
- Website of the Victims’ Rights Working Group: [http://www.vrwg.org](http://www.vrwg.org)