Intermediaries’ guidelines: Outstanding issues
April 2011

The Victims’ Rights Working Group (VRWG) is a network of national and international civil society groups and experts created in 1997 under the auspices of the NGO Coalition for the International Criminal Court. Its membership includes international as well as local NGOs and experts from a wide array of countries, in particular those affected by ICC investigations and prosecutions.

The VRWG shares these comments with the concerned sections of the Court ahead of discussions scheduled for the ICC-NGO Bi-annual Consultations (4-5 April 2011). The VRWG welcomed the opportunity to discuss the Court’s earlier Draft Guidelines governing the relations between the Court and Intermediaries (Hereinafter the “Draft Guidelines”), which were made available for the ICC-NGO Bi-annual Consultations October 2010. While the VRWG understands the need for these guidelines to be agreed as an internal document of the Court, the importance of continuing to engage intermediaries, NGOs and experts as the document is finalised cannot be emphasised enough.

In light of the discussions which have already taken place, and mindful that a revised draft has not yet been made available, the VRWG wishes to highlight some of the key outstanding issues that remained at the end of the consultations in October 2010.

As was highlighted during the October 2010 consultations, it is important that the Court’s Guidelines give due recognition to the motivations and legitimate expectations of those working on the ground. Intermediaries generally work in difficult environments, often at their own risk, with hopes of bringing an end to impunity and contributing to justice. They are often active members of affected communities, and have both a personal and professional stake in the Court’s success. The Draft Guidelines would benefit from a stronger statement in the introduction recognizing the mutual relationship between the Court and its intermediaries. In addition, the Draft Guidelines should be carefully reviewed to ensure that respect for intermediaries’ motivations and expectations are reflected in the content and tone of each section.

Finally, as regards the overall presentation of the guidelines, the VRWG welcomed the clarification provided during the October 2010 consultations that the Guidelines are intended to be used by intermediaries as well as by the Court. In this light, we encourage the Court to look at the Guidelines through the eyes of a local civil society activist. The majority of civil society activists are not familiar with the intricacies of the ICC. It is therefore crucial that the Court set out with the greatest level of clarity at the earliest stage the full context and possible ramifications of working with the Court, so that potential intermediaries can make an informed decision whether or not to do so. We also encourage the Court to consider developing a manual for intermediaries, along the lines of other
manuals produced for external actors, such as legal representatives of victims. A shorter, booklet could also usefully be prepared, which would set out clearly what the intermediary can expect from his/her interaction with the ICC and which can be provided to intermediaries the first time they come in contact with the Court.

**Suggestions on the Draft Guidelines content and structure**

1. **Definition and categories of intermediary as a starting point**

The VRWG supports the inclusion of a definition of the term “intermediaries” for the purpose of these guidelines. We agree with the definition set out in the Draft Guidelines, that an intermediary is “someone who comes between one person and another; facilitates contact or provides a link between one of the organs or units of the Court or Counsel on the one hand, and victims, witnesses, beneficiaries of a project of the Trust Fund or affected communities more broadly on the other.”

The VRWG also supports the approach adopted in the Draft Guidelines to identify the different tasks conducted by intermediaries described in Section 1 and Annex I of the Draft Guidelines [hereinafter “the Annex”]. The VRWG however questions the listing of tasks to establish “categories” of intermediaries, recognizing that in many cases intermediaries may conduct more than one of the tasks identified. The VRWG submits that the Draft Guidelines should also acknowledge the possibility that intermediaries take up other functions in the future as the activities of the Court continue to evolve.

2. **The Need for Overall Principles and a Code of Conduct**

The VRWG suggests that the Guidelines should expressly spell out general principles applicable to all intermediaries as well as to Court staff engaging with intermediaries. In this regard, we observe that the general approach to the Draft Guidelines is one that imposes obligations on intermediaries, without spelling out, in a clear enough manner, their rights and the Court’s obligations vis-à-vis intermediaries.

Court-wide principles should reflect applicable standards and best practices in relation to support and protection of intermediaries, capacity building requirements, remuneration, codes of conduct as well as selection criteria. Overall, principles should make reference to a Code of Conduct, to be jointly developed between the Court and intermediaries, and annexed to the guidelines. The VRWG would recommend that such a Code of Conduct include provisions on neutrality, honesty, respect, and lack of personal interest in the proceedings.

The VRWG agrees that the Court should not call on intermediaries to act as substitutes for staff shortages and core functions within the Court’s mandate. In principle, intermediaries should undertake tasks that they are better placed to perform than Court staff (such as access to some regions, knowledge of local languages, and direct access to victims, etc.).

Except in cases of serious misconduct, before an ICC organ disengages from working with an intermediary, it should discuss with him/her the reasons behind this decision and, as appropriate, attempt to resolve any issues. Practice shows that the realities of field-based intermediaries are not always fully appreciated by officials at the Court and vice-versa.
3. Specific standards and provisions

It is suggested that in addition to overall principles, the Guidelines could usefully set out specific standards, provisions and entitlements for each function. For example, the VRWG suggests that, with regard to training, some identified categories of intermediaries should automatically receive training on preventive protection and basic trauma awareness in view of the Court’s obligation to protect victims under Article 68(1) of the Statute. The table provided here builds on the Court’s Annex 1, but adds in italics potential further columns on protection and support, remuneration, capacity building, selection criteria and possible types of relationship (contractual/non-contractual). This approach could be expanded further to include, for each function, what should be expected on both sides, covering existing subsections such as: selection criteria, type of relationship, support to carry out duties, security and protection. As discussed above, the functions so far identified could also benefit from further rationalisation.

In cases where a legal framework might already exist (such as jurisprudence established by the Chambers, or other codes of conducts and ethics applicable for intermediaries working with Counsel or handling evidence), the guidelines should specify general principles applicable to all activities falling within one function while clarifying that specific regimes might apply to certain sub categories.¹

With regard to the ‘Selection Criteria’ outlined in the Draft Guidelines, an important clarification was offered in October 2010, that the criteria are intended for guidance purposes and not as requirements to be met. The VRWG suggests that ‘desired’ and ‘required’ criteria are clarified in the Guidelines. We also recommend that selection criteria relating to capacity, knowledge and experience better reflect gender concerns.

During the October 2010 Consultations, a number of clarifications were offered on the circumstances in which intermediaries need contracts or not. These could be clarified further for inclusion in the Guidelines, with related information regarding selection criteria that may correspond to such circumstances. Intermediaries can still be considered intermediaries without a contract. For example, whereas a contract is necessary for financial support or remuneration in relation to carrying out duties, a contract is not necessary for protection in the event of risk.

Outstanding cross-cutting issues

1. Coordination between units and sections

Many of the issues considered below are cross-cutting and apply to all types of intermediaries and units of the Court. With this in mind, the Court should endeavour to apply a coordinated approach, as far as appropriate. It is not unusual for an intermediary to be working with more than one unit of the Court. In such cases, coordination is paramount

¹ For example, the Counsel’s code of conduct provides that “4. Counsel shall supervise the work of his or her assistants and other staff, including investigators, clerks and researchers, to ensure that they comply with this Code”; “4. Counsel shall neither transfer nor lend all or part of the fees received for representation of a client or any other assets or monies to a client, his or her relatives, acquaintances, or any other third person or organization in relation to which the client has a personal interest.”; “2. Counsel shall instruct his or her assistants or staff in the standards set by this Code.” One can thus assume that an intermediary of a Counsel should also comply with the code of conduct additionally to the general principles enounced in any Court guideline. It can also be assumed that remuneration of “intermediaries” for counsel will be strongly regulated and affected by the Code of conduct provisions.
to avoid potential conflicts of interests, duplication of provision (training, etc) and duplication of work and efforts by intermediaries.

In order to ensure effective coordination, internal systems should be established to share information safely between sections. The VRWG opposes an approach whereby intermediaries would be bound to disclose their prior engagement with different units of the Court as this would create high risks of exposure on the ground. Given the frequent levels of misinformation and insecurity, intermediaries could unnecessarily reveal their relationships with the Court to inappropriate persons. Intermediaries do not necessarily have a clear understanding of the internal organisation of work within the Court. Indeed, best practices on preventive protection imparted by the Court should continue to reinforce the importance of confidentiality and discretion. We recommend that the onus should fall on the Court to find adequate and safe ways to share information internally, in a manner that does not put the intermediary at risk, or compromise the interests of different sections.

2. Protection

The VRWG notes that protection is often quoted as a primary concern for intermediaries. In this regard, the VRWG welcomes the clear statement in the Draft Guidelines that “the Court has a duty to prevent or manage security risks to intermediaries, resulting from the intermediaries’ interaction with the Court and the fulfilsment of the intermediaries’ functions on behalf of the Court.” The Draft Guidelines should recognise that the work undertaken by intermediaries often involves inherent risks. Both the Court and intermediaries should take measures to manage and minimise those risks as far as possible.

We note that the Guidelines require all units of the Court to advise intermediaries of the risks and implications of getting involved with the ICC’s work, to undertake an individual risk assessment prior to engaging with an intermediary and the potential provision of training on best practices on “preventing and minimising risks.” To the extent language making an individual risk assessment obligatory remained in brackets following the October consultations, the VRWG recommends that such assessments be mandatory for all intermediaries. These risk assessments and their communication to intermediaries will provide intermediaries with the information needed to make a fully informed choice about their relationship with the Court.

The guidelines are unclear, however, as to whether these standards will be applied to “self-appointed intermediaries” and fail to require that individual risk assessments be reviewed regularly to recognize new and emerging risks that may arise. This information should be made clear to intermediaries at the earliest possible stage of their involvement with the ICC, including alerting them that the Court cannot guarantee to not disclose their identity and involvement to parties in the proceedings. If the Court were to develop a manual

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2 “Self-appointed intermediaries” are typically individuals or organisations who approach the Court on the instruction or on behalf of victims or others potentially involved in proceedings. Given that the ICC Statute accords individuals with the ability to communicate directly with the Court (outside of any communication or invitation initiated by the Court), for example, to apply to participate in proceedings or to provide information about alleged crimes to the Office of the Prosecutor, those that communicate in this way may incur risks similar to any other “intermediary” that the Court pre-selects.
and/or informational booklet for intermediaries, this kind of information should be included.

In principle, different types of activities will attract different risks and corresponding standards should be reflected in the Draft Guidelines. However, it must be recognized in conducting individual risk assessments that some individuals could be at risk in the field simply because they are associated to the Court regardless of the collaboration relationship they have established with it.

For some intermediaries training on preventive protection should be mandatory, particularly where the tasks being performed inherently involve risks for others. For instance, intermediaries assisting victims with application forms for participating in proceedings could put the victims at risk, given the sensitive information and nature of this involvement. It would be appropriate to look more closely at identifying the types of risks that may be faced by intermediaries performing specific functions given the nature of their responsibilities and to develop corresponding preventive or other protection measures. Protective measures may need to be specific to intermediaries—who may be quite differently situated to a victim or witness. While these measures do not need to be specified in the Draft Guidelines, reference to the development of specialized measures could be included in the section 5.5 (“Protective Measures and Security Arrangements”).

Finally, the Draft Guidelines should clearly indicate that intermediaries could fall within the definition of “others who are at risk on account of the activities of the Court” as per the Court’s jurisprudence, 3 giving rise to a duty for the Victims and Witness Unit of the Court to provide appropriate assistance. The Draft Guidelines should also set out clearly the obligations for the Court to develop in each case, as part of the individual risk analysis, procedures and safeguards that will be put in place from the outset to prevent and minimize all identified risks and to react effectively, if the risks materialise. In particular, intermediaries must be provided with emergency contact details for an identified ICC official if they or those they are working with are at serious risk. ICC officials must have clear protocols on how to respond effectively in such situations. Intermediaries must further be provided with information on how to challenge the response of the Court to a senior official, if they consider it is inadequate.

At the moment, the Draft Guidelines appropriately recognize that all organs, units, and counsel engaging with intermediaries have duties related to protection, but it then assigns specific protection responsibilities to the Victims and Witnesses Unit (VWU), the Security and Safety Section (SSS), or the Office of the Prosecutor (OTP). This division of responsibility for assessing and implementing protective measures between the VWU, the SSS, and the OTP should be re-evaluated. In our view, the VWU should maintain an overall responsibility for the protection of intermediaries.

From the October consultations, we understood that involving other units and the OTP in determining and implementing protective measures for intermediaries is based on an interpretation of limits of the VWU’s legal mandate. We recognize that not all intermediaries will need protective measures, let alone being included in the ICC Protection Program. While these should be available when necessary, other limited measures—such as

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3 As found by the Appeals Chamber in its “Decision on the appeal of the Prosecutor against the decision of Pre-Trial Chamber I entitled ‘First Decision on the Prosecution Request for Authorisation to Redact Witness Statements’”, ICC-01/04-01/07-475, para 1: Rule 81 (4) of the Rules of Procedure and Evidence should be read to include the words “persons at risk on account of the activities of the Court” so as to reflect the intention of the States that adopted the Rome Statute and the Rules of Procedure and Evidence, as expressed in article 54(3)(f) of the Statute and in other parts of the Statute and the Rules, to protect that category of persons.”
best practices training or access to data protection measures—could usefully be facilitated by the Court organ or unit working directly with the intermediary.

In this regard, all intermediaries should be able to benefit from the expertise of the VWU. For example, knowledge of how to conduct individual risk assessments or apply preventative best practice in given situations could be useful both for themselves and those they work with. Hence, the suggestion that VWU be designated as overall focal point for intermediary protection would help consolidate the practices of intermediaries as well as the practices of the units that work with them. This would make it easier to compile lessons learned and develop more effective measures over time. The VWU’s specialized expertise and the neutrality of the assistance are key features of the ICC’s protection system. While we would welcome additional explanation as to why the Draft Guidelines provide for a division of labour between the VWU, SSS, and OTP, the VRWG strongly cautions against distorting this system and departing from the independent and neutral provision of protection by the VWU.

3. Training/capacity building

The Draft Guidelines provide for capacity building and training in some circumstances and recognise that training courses should be offered, where suitable, in cooperation with the relevant organs of the Court. The VRWG strongly agrees with that proposal, and would suggest in addition, that priority areas and sub-categories of intermediaries be identified, in line with existing obligations of the Court. Furthermore, while gender specific training should also be undertaken, the VRWG encourages the Court to mainstream gender in all its training and capacity building initiatives.

Training on protection best practices could been seen as essential in discharging the Court’s obligation to protect those at risk on account of testimony given by a witness as well as victims appearing before it. While at the selection stage (where appropriate), the Court should already satisfy itself that intermediaries have the required skills and knowledge, they should be trained on best practices relevant to undertake the tasks they are entrusted with. Furthermore, it will often happen that individuals or organisations will be “self appointed” intermediaries. These intermediaries will often be the only ones to have access to specific target groups. However, they will also often lack basic training and skills to undertake activities in relation with the ICC. The VRWG underlines that a “self appointed intermediary” should also benefit from capacity building and that before looking for someone else to do specific tasks, the Court should attempt to train him/her.

The VRWG would suggest a two-pronged approach. First, in-house training programmes and/or materials could be developed by the best placed units to cover basic elements necessary to undertake specified tasks. For example, issues related to protection should be discussed in training undertaken with intermediaries. Training programmes or materials designed by the VWU could be shared and mainstreamed into all trainings with

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4 Jurisprudence at the ICC states that the obligation to provide protection to victims appearing before the Court starts as soon as the Court receives the application from the victims See ICC Decision on victims’ participation, 18 January 2008, ICC-01/04-01/06-1119, paragraph 137
5 In particular victims which often remain in very remote locations.
6 Self appointed intermediaries will often be those closest to victims and their communities, and benefit from their trust. They will also often have already undertaken substantive amount of work, at their own costs, in the hope that their efforts can contribute to the ICC’s success.
7 Here we are suggesting that discussions on this aspect be included in all training, with more extensive coverage being mandatory for the types of intermediaries involved in proceedings.
intermediaries involved in proceedings that other sections undertake. \(^8\) A similar approach could be adopted with regard to psychosocial protection, the Court's mandate in relation to victims’ participation and reparations, etc. If a manual for intermediaries were to be developed, it could also cover legal issues; the functioning of the ICC; managing the expectations of victims; and techniques and methodologies for carrying out various tasks in which intermediaries are engaged.

Second, information on appropriate external trainings could be identified and shared with intermediaries in a more systematic manner. For example, many institutions, based in the field, provide trainings on issues such as working with victims of sexual violence, how to communicate information effectively, and how to manage projects. However, intermediaries will often lack access to information relating to such programs, or be discouraged by complicated application processes. The VRWG suggests that the Court identify such opportunities and share information on these with intermediaries it works with. This could, in particular, focus on training programs for which financial support might be available.

4. Costs and remuneration

The VRWG acknowledges the recognition in the guidelines that “where the organs or units of the Court or Counsel request intermediaries to provide assistance in carrying out certain tasks, the costs incurred in carrying out such tasks should be reimbursed”. However, the current wording fails to recognize that in many cases intermediaries may lack resources to perform tasks and may then request reimbursement. In particular, where travel is expected, the capacity of intermediaries to first pay and then be reimbursed should be re-assessed. \(^9\)

Compensation for the time required by an intermediary to undertake a requested task should be provided, unless the intermediary or his organisation decides to waive remuneration. In this regard, the Court should ensure consistency in the way intermediaries are compensated, and carefully assess compensation rates. Specific attention should be paid to avoid gender discrimination and ensure equal compensation between intermediaries. \(^10\)

The VRWG agrees with the need for consistent systems to provide remuneration and reimburse costs cross all organs of the Court. However, while prior approval should indeed be required, the process should not be overly cumbersome and must take into account the context in which intermediaries operate. Intermediaries might not always be in a position to prepare elaborate mission plans, or if they are, might not always be able to foresee some of the costs far in advance of undertaking a particular activity. Equally, reporting requirements, such as provision of receipts, ticket stubs or other details to justify expenses incurred may not be familiar practices for intermediaries and/or in the countries they operate. Clear, court-wide guidance and training should be delivered ahead of expenditures being incurred. Appropriate mechanisms may need to be put in place to ensure full accountability while allowing for flexibility.

Finally, with respect to expenditure requests which need to be submitted 30 days in advance, the VRWG suggests that shorter timeframes would be more appropriate, and that

\(^8\) As opposed to each unit having its own documents/presentation.

\(^9\) Some intermediaries will come from very poor communities and might have to borrow money in order to advance funds necessary to undertake an activity.

\(^10\) This would include consistency for the rates applied as well as for the types of activities warranting compensation.
intermediaries need to be given a clear date by which they will be informed of a decision. There should be systems in place to advance funds where necessary, as intermediaries cannot be expected to systematically pay their own costs up front with a view to a later reimbursement.
### Annex I

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<thead>
<tr>
<th>Function</th>
<th>Organ/Unit</th>
<th>Activities carried out</th>
<th>Protection</th>
<th>Remuneration</th>
<th>Capacity building/selection criteria</th>
<th>Type of relationship (contractual / non contractual)</th>
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</table>
| a. To assist in carrying out outreach and public information activities in the field. | PIDS & TFV co-ordinates | - Raise awareness of the affected communities in “situation” countries about the Court and its work and conduct outreach activities  
- Raise public awareness about the Court and provide information relating to the Court  
- Inform victims about the TFV  
- Organise capacity building workshops for or with local actors (including officials, media, legal profession, community leaders, NGOs) | - Protection risk exists however can be mitigated.  
- Security risks should still be assessed though could be easily mitigated | - This could be set out in terms of projects/sub projects with clear expenditures/remuneration rules and rates. (Whether for one of or a series of activities).  
- Reporting procedures could be put in place, with adequate sensitization on the need for receipts. | - Greater flexibility in choosing these intermediaries as a wider range of actors will have the necessary skills (neutrality, capacity to speak in public and convey information...).  
- Capacity Building should focus on how to share information on the Court in a neutral manner and engage the audience.  
- Intermediaries in this category should not be required to have the same level of security resources (such as a secure office for confidential information) as other categories. | - This type of activities might warrant a contractual/semi contractual relationship.  
- Activities are likely to be planned in advance so one could see a framework agreement between the Court and Intermediaries, with smaller sub-projects corresponding to the activities. |
| b. To assist a party or participant to conduct investigations in identifying evidentiary leads and/or witnesses and facilitate contact with (potential) witnesses. | OTP Counsel OPCV | - Monitor the situations and document international crimes  
- Assist in the preservation of evidence  
- Assist the OTP to locate and contact witnesses and other investigative leads, and/or to maintain contacts between the OTP and witnesses (for both investigation and protection purposes), particularly where it is adjudged to be too insecure for OTP staff to do so directly  
- Assist Defence Counsel to contact potential witnesses and collect evidence for a particular submission  
- Assist legal representatives of victims to contact potential witnesses and collect evidence for a particular submission | - Potential for serious security risks.  
- These should be clearly identified and discussed with the intermediaries.  
- What can and can’t be done should be clearly spelled out.  
- Capacity building and training on best practices regarding protection should be mandatory.  
- In extreme cases, participation in the Court’s protection program should be envisaged. | - Clear reimbursement rates should be established per region. These should be public and revised regularly. However as much as possible the money should be advanced when expenses reach a certain level.  
- One could see a system where the intermediaries put together a plan/budget to undertake a set of activities which is approved in advance also providing for short notice cases where a unique opportunity to meet with someone presents itself; in any case approval should be obtained in advance of incurring the expense;  
- The approval processes should not be cumbersome and the time between when a request is made and when approval/rejection is made should be kept to a minimum.  
- When the intermediary is expected to contact persons, support should include provision of communication tools. | - Selection here might be more difficult as those with access to the information might not be literate or well appraised with the ICC’s practices and standards.  
- Initial discussions should assess what will be expected from that person. Should it be decided that further work will be undertaken, capacity building in how to work with vulnerable persons should be planned.  
- External trainings relevant to undertake activities should be identified (such as training for HR defenders who work with vulnerable victims at which some are intermediaries). This could be facilitated through working in partnership with relevant local and international actors.  
- Training on how to manage and store sensitive information should be provided. | - Contractual or non contractual. This will need to be evaluated on a case by case basis. While contractual might not be the best solution, it would still make sense to have a document setting out the duties and rights of each parties which is understood and accepted.  
- Some intermediaries falling in this category might also be bound by a stricter regime (evidence chain, potential of their names being disclosed to the parties). |
<table>
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<tr>
<th>VPRS OPCV Counsel</th>
<th>Item</th>
<th>Notes</th>
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<tr>
<td>c. To assist (potential) victims in relation to submission of an application, request for supplementary information and / or notification of decisions concerning representations, participation or reparations.</td>
<td>Identify victims in affected communities</td>
<td>- Potential for serious security risks. - These should be clearly identified and discussed with the intermediaries. - What can and can’t be done should be clearly spelled out. - Looking at what the Court’s obligations are here (redactions, more?) - Capacity building and training on best practices regarding protection should be mandatory. - Potential protection risks for victims should be understood so that intermediaries can explain the implications of getting involved. - In extreme cases, participation in the Court's protection program should be envisaged.</td>
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<td>Inform victims in affected areas about their rights</td>
<td>Same as above.</td>
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<td>Assist victims to get in touch with the Court</td>
<td>Same as above.</td>
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<td></td>
<td>Assist Court staff to meet with victims</td>
<td>Same as above.</td>
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<td></td>
<td>Assist victims in completing applications for representations, participation or reparation</td>
<td>Same as above.</td>
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<td></td>
<td>Provide support and assistance to victims linked to their participation, e.g. psychosocial services, security, legal services etc.</td>
<td>Same as above.</td>
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<td></td>
<td>Facilitate the information flow between the Court and the victim applicants e.g to obtain missing information or implement other orders of the Chambers</td>
<td>Same as above.</td>
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<td></td>
<td>Assist victims to understand judicial decisions of the Court relevant to them (e.g. regarding common legal representation or criteria for acceptance as a victim)</td>
<td>Same as above.</td>
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<td>There should be provision in the case of “self appointed” intermediaries.</td>
<td>Same as above.</td>
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| **d. To communicate with a victim / witness. In situations in which direct communication could endanger the safety of the victim/witness.** | **OTP Counsel** | • Assist OTP to communicate with victims/witnesses  
• Facilitate the flow of information between the Court and the victim applicants  
• Assist the OPCV or VPRS to communicate with victims  
• Act as the first contact point, receiving security concerns and providing them with advice  
• Monitor the physical and psychological well-being of victims and witnesses  
• Locate and/or provide medical assistance, psychological support and other services for victims and witnesses  
• Assist witnesses to appear before the Court | Same as above | Same as above | Same as above | Same as above |
|   | **VPRS** |   |   |
|   | **OPCV** |   |   |
| **e. To liaise between Legal Representatives and Victims for the purposes of victim participation / reparations.** | **Counsel OPCV** | • Facilitate contact between victims and their legal representative to convey information to clients, collect evidence for a particular submission, and determine victims’ views and concerns and/or obtain instructions | Same as above | Same as above | Same as above | Same as above |
| **f. To assist the TFV in administering reparations ordered by the Court against a convicted person (reparations mandate) and to assist the TFV using other resources for the benefit of victims subject to the provisions of article 79 of the Rome Statute (rehabilitation mandate)** | **TFV** | • As direct recipients of funds from the TFV/Court to administer assistance to victims for rehabilitation and reparations  
• To assist the Trust Fund to facilitate the disbursement of reparation awards.  
• To assist in the awareness raising, advocacy, and other outreach-related activities  
• To assist in collecting data on victims’ needs and attitudes | Potential security risks should be assessed and mitigated.  
When necessary name should not be made public (though not preferred option). | The relationship here will be closer to a formal partnership thus reimbursement/remuneration should be provided for in the agreement signed by both parties.  
Rates should follow standard levels in country where activities are taking place and adequate anti fraud system should be in place for monitoring purposes.  
Reasonable steps should be taken to avoid overheads and salary related costs to ensure that as much of the funds actually reach communities and victims they are aimed for. | Training in financial and narrative reporting should take place at the beginning of a project.  
Application procedures and calls for proposals should be open and clearly publicised among civil society groups working with affected communities. Selection should be open and criteria for selection clear and public. In particular consultation with local organisations should take place to ensure those selected are perceived as being the right partners. | A contractual relationship seems relevant in this case. |   |