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**Preparatory Commission for the  
International Criminal Court  
Working Group on Financial Regulations and Rules  
New York, 24 September-5 October 2001**

**Draft resolution of the Assembly of States Parties on the  
establishment of a fund for the benefit of victims of crimes within  
the jurisdiction of the Court, and of the families of such victims**

**Discussion paper proposed by the Coordinator\***

*The Assembly of States Parties,*

*Bearing in mind* the provisions of article 79, paragraph 1 of the Rome Statute,

1. *Decides* to establish a fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims;
2. *Decides further* that this fund shall be funded by:
  - (a) Voluntary contributions from Governments, international organizations, individuals, corporations and other entities, in accordance with relevant criteria adopted by the Assembly of States Parties;
  - (b) Money and other property collected through fines or forfeiture transferred to the trust fund if ordered by the Court pursuant to article 79 (2) of the Statute;
  - (c) Resources collected through awards for reparations if ordered by the Court pursuant to rule 98 of the Rules of Procedure and Evidence;
  - (d) Such resources as the Assembly of States Parties may decide to allocate to the fund.
3. *Adopts* the criteria relating to the management of this fund set out in the annex to the present resolution.

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\* This discussion paper will be the subject of further discussion in a format to be determined.



## **Annex**

1. Voluntary contributions from Governments, international organizations, individuals, corporations and other entities shall be subject to the approval of the Registrar of the Court, in accordance with the criteria laid down in paragraphs 2 and 3; the Registrar shall be responsible for the day-to-day administration of the fund.
2. The voluntary contributions envisaged in paragraph 1 must be in keeping with the goals and activities of the fund.
3. The voluntary contributions envisaged in paragraph 1 may be accepted for a specific project or purpose provided that this does not lead to discrimination with regard to victims or their families that is prohibited under international law.
4. The Registrar shall report to the Assembly of States Parties all offered voluntary contributions, regardless of whether they were accepted or refused.
5. In accordance with article 79, paragraph 3, the Assembly of States Parties shall determine the criteria for the management of the fund. The Committee on Budget and Finance shall be directed, in accordance with the criteria determined by the Assembly of States Parties and the provisions of the Rome Statute and the Rules of Procedure and Evidence, to establish the activities and projects of the fund, bearing in mind available resources and subject to the decisions taken by the Court. It shall be assisted by the Registrar, who shall be responsible for submitting proposals to it, and to this end shall consult victims and their families or their legal representatives, and may consult any competent expert or organization. The Committee on Budget and Finance shall report annually to the Assembly of States Parties on the activities and projects of the fund.

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