

International Funds for Compensation for Human Rights Violations in International Law

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Abstract

The establishment of international funds to compensate for human rights violations represents an important step towards achieving justice and equality between individuals and societies and solidarity among people, whether through providing financial assistance or by assuming legal and moral responsibility towards victims. With the development of international policies in recent decades, it has become necessary for states to assume their responsibilities in accordance with international law, not only in preventing and combating crimes, but also in providing means of redress for victims. Legislation in many countries has demonstrated the importance of fair compensation as part of criminal and social responsibility. Although traditional systems such as civil liability or direct insurance may be effective in some cases, the challenges facing victims of major crimes require specialized legal mechanisms to redress damage.

Keywords: *Establishment, Demonstrated, Effective, Preventing.*

Introduction

The idea of compensation for victims of violations of human rights or international humanitarian law has developed in recent years, and is closely linked to the concept of legal personality of individuals, as international law recognizes the right of victims to judicial remedies, which includes their rights to obtain compensation for the damages they have suffered as a result of violations.

Legally, this right to compensation lies primarily with national judicial authorities, i.e. states are responsible for providing remedies to victims within their borders. However, some international and judicial bodies such as the International Criminal Court, human rights courts, international organizations or bodies established by them can take decisions on compensation for individual victims in some special cases.

In the context of international responsibility between states, the matter is slightly different, as responsibility here relates to compensation for damages inflicted on another state as a result of a violation of international obligations. In this context, the International Court of Justice intervenes as the competent body in settling these cases between states, and it may decide to oblige the state that caused the damage to pay compensation.

First: The Research Problem

The research problem focuses on knowing the efficiency of international funds in compensating for violations committed against human rights, which in turn raises several questions, such as: What is meant by international funds? What are the methods of forming international funds? How are international funds managed? What are the types of international funds?

Second: Research Methodology

The study of international funds for compensation for human rights violations basically requires following the legal approach that is based on analyzing international and national legal texts related to international funds for compensation for human rights violations, in addition to the analytical approach that focuses on analyzing and discussing jurisprudential opinions. The descriptive approach will also be relied upon, which

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is related to explaining the concept of international funds for compensation for human rights violations, and also to describe and clarify the concepts and terms related to international funds, as well as to provide an overview of the main theses and developments in this field.

Third: Research Structure

In light of the above, the research will be divided into two sections according to the following methodological plan:

Chapter One: Definition of international funds and methods of their formation

The second topic: Management of international funds and their types.

In conclusion, we will point out the most important conclusions and proposals reached according to the comprehensive vision of all of the above.

The first topic

Definition of international funds and methods of their formation

The essence of the fund is to carry out a financial activity, and thus constitutes the basic function of a specific number of international organizations that have adopted this mechanism for the purpose of demonstrating the international nature of international funds, as some international funds that play a financing role provide technical support for the implementation of projects in particular and for the provision of assistance in general, without investing in actual implementation. This is the case, for example, of the Fund for Victims of Crimes, which falls within the jurisdiction of the International Criminal Court and the International Fund for Agricultural Development. These organizations carry out their work primarily through granting aid and advertisements. In order to know this in more detail, we will devote this section to explaining the following:

First requirement: The concept of international funds.

The second requirement: Methods of forming international funds.

The first requirement

International Funds Concept

First: Definition of international funds

The idea of international funds was created by many philosophers and jurists, such as the English philosopher Jeremy Bentham (1747-1832), who called for the state to take the initiative to compensate the victims and those harmed by hostile acts from the public treasury. Likewise, Garo Vallo, one of the leaders of the Italian positivist school, saw that the state had a general duty to establish a compensation fund aimed at compensating people harmed by the crime when they were unable to obtain any compensation.

As for its definition, the definitions given to international funds have varied and diversified. It has been defined as “a system that undertakes insurance operations against risks that are not accepted by insurance companies or those that the government sees fit to undertake itself.” It can also be defined as “funds that were established pursuant to an international agreement, which regulates the provisions of the fund, determines its jurisdiction, clarifies the scope of its work, and stipulates the identification of the party responsible for managing and supervising the fund.” Some have defined it as “funds that consist of a variety of assets that aim to provide benefits to an institution, whether an individual or an organization, and are established by the donor to provide financial resources, such as charitable institutions or other non-profit organizations.” International funds can also be defined at the United Nations level as “funds used to

support activities and to strengthen or expand the scope of one or more programmes or works of the General Secretariat or for the purposes of humanitarian and relief agencies to provide direct assistance in emergency situations. They can also be established for activities of a continuous nature or for a long period and their resources are programmed annually or on an annual basis.”

Its definition at the national level means “funds established by the state that decide on their own to provide assistance to victims and are less likely to face the problem of approval and access to the lands where the victims are located.” It can also be defined as “a system based on what is called collective financial guarantee, and one of its most important advantages is that it allows compensation for damages that cannot be insured, as is the case with damages that require huge sums of money to repair.”

Based on the above, we note that funds are usually formed to provide financial protection and support to beneficiaries in cases of accidents or professional problems such as injuries, illnesses or deaths. The benefit of these funds is to provide a level of financial security for individuals and to provide regular financial assistance to meet their basic needs. International funds are also an important part of the social and economic structure in many countries, as these funds are considered a form of community solidarity and a model of social insurance. Thanks to their periodic funding, these funds meet the needs of individuals by providing appropriate financial support to them and their families. In general, international funds regulate themselves by regulations and laws that guarantee the rights and duties of members, as well as the management of financial assets and the distribution of surpluses and losses. It also stresses the need for supervision and regulation by the competent authorities to ensure the sustainability of these funds and protect the rights of subscribers.

In short, the term fund is understood as a reserve of money allocated for a specific use, where it is called capital and the organization responsible for managing it is clearly named under the relevant system. International funds are public institutions to provide protection for individuals and constitute an effective model of social insurance, enhance community solidarity and meet the needs of individuals in emergency situations. It is important that these funds are properly managed and monitored by regulatory authorities to ensure their sustainability and give confidence to members.

Second: Objectives of International Funds

International funds, as a tool of social solidarity, seek to achieve many goals and functions within their working mechanism, which are embodied in:

The therapeutic function is to correct the error that occurred and to correct the injustice by restoring the previous situation, which reflects the concept of corrective justice.

The procedural function by facilitating and easing the compensation procedures by disbursing urgent amounts to alleviate the suffering of victims and taking quick and immediate measures to provide criminal protection for victims. 3. The substitution function by the fund replacing the injured parties by demanding compensation from the official if he is identified in order to find financing opportunities to continue the fund's work and take a substitute for the amounts that were compensated to the injured parties;

The punitive function, especially for funds based on liability, where the fund aims to repair the damage and punish the debtor according to the recognized classical rules, as Professor Dina Shelton argued that reparation represents a form of punishment to punish the offender and deter him from wrongful behavior

The restorative function through achieving peace and social stability by compensating the victims, reaching the concept of restorative or social justice by alleviating suffering and breaking the cycle of revenge, reaching recognition and tolerance between the community of victims and perpetrators.

Including victims in free insurance in order to mitigate the damage through compensation that the fund can pay, especially since the goal of establishing such a fund is based on the idea of social solidarity.

The cooperative function of embodying and strengthening international cooperation and solidarity in the field of human rights in the face of violations, especially large-scale ones.

Based on the above, it is noted that the objectives of international funds play a complementary role in cases where appropriate compensation is not given for the damages suffered by the injured party, and this is when the value of the resulting damages exceeds the maximum insurance amount. Compensation funds can also play a reserve role in cases where the insolvency of the person responsible is proven, as well as in cases where the injured party cannot identify or know the person responsible. In these cases, it is noted that the intervention of international funds to compensate the injured party is considered full compensation for the damages that have befallen him. They can also intervene as a reserve in cases where one of the reasons for exemption from liability or one of the reasons for excluding insurance is available, where their intervention is a reserve to guarantee the injured party's right to compensation. However, the Fund's activities are not considered judicial compensation for victims, and the Fund's programmes are often separate from the court's rulings or take place during the initial stage of the trial, when the court examines the situation in the country concerned. This plays a dual role: on the one hand, it acts as a tool for the court to distribute compensation grants, and on the other hand, it is an independent body that may use its resources for the benefit of victims, independent of the court's decision.

The Second Requirement

Methods of Forming International Funds

International funds for compensation for human rights violations play a crucial role in promoting and protecting human rights through various mechanisms that embody this. They serve as a framework for member states to adhere to and implement human rights standards, and are also responsible for assessing compliance with human rights standards, investigating violations committed, and providing remedies to victims in general.

Based on this, it is noted that international funds may be formed through an agreement between countries, i.e. pursuant to international agreements, or they may be independent and not affiliated with any other party, or they may be through international decisions and affiliated with a larger party such as the United Nations, and their goal is to enhance cooperation between countries, provide legal assistance, and work to develop laws and policies related to human rights.

In this context, international funds have many methods related to their formation and are of fundamental importance to achieving their objectives.

First: International funds established under agreements

At the level of agreements, international funds were established to compensate victims, embodying the solidarity of the international community. These funds provide victims with compensation and assistance that their countries or perpetrators of crimes were unable to provide.

Therefore, we will explain this by addressing two basic paragraphs, as follows:

International Funds Established Under International Agreement

First, an international agreement is an agreement concluded between persons of international public law that produces a specific legal effect. There are many international funds established under this mechanism, and international funds may be established based on an international treaty, an international charter, or a multilateral international agreement.)...which may determine through that agreement the legal system of the Fund, also indicating its objectives, jurisdiction, and the various bodies entrusted with achieving the Fund's basic objectives and the rules governing its work.)One of the clearest examples of this is the Trust Fund for the International Criminal Court, which was established based on the Rome Statute, particularly Article (79), Paragraph (1), which states: (1 - A Trust Fund shall be established by a decision of the Assembly

of States Parties for the benefit of victims of crimes within the jurisdiction of the Court, and for the benefit of the families of victims). Indeed, on December 3, 2005, the Assembly of States Parties adopted the Trust Fund for Victims system pursuant to Resolution 3.CC_ASP / 4/ Res, where the Trust Fund was assigned two main tasks: to assist the International Criminal Court in implementing reparations orders, and also to assist victims in the reparations process.) He also pointed out that the Trust Fund is an independent entity, as it is financed from (a. voluntary contributions provided by governments, international organizations, individuals, companies and other entities, in accordance with the relevant criteria adopted by the Assembly of States Parties).)b. Money and other property collected from fines or confiscations that are transferred to the Trust Fund if the Court so orders pursuant to Article (75), paragraph (2) of the Statute of the International Criminal Court; c. Resources arising from compensation ordered by the Court pursuant to Article (98) of the Rules of Procedure and Evidence; d. Resources, other than assessed contributions, that the Assembly of States Parties may allocate to the Trust Fund).

The Assembly of States Parties also established, by this resolution, a Board of Directors responsible for managing the Trust Fund. It consists of five members elected for a period of three years and may be re-elected once. They exercise their duties in their individual capacity and without compensation. The Association elects the members of the Board of Directors, who must all be of different nationalities, on the basis of fair geographical distribution and taking into account the need to ensure fair distribution between the sexes and fair representation of the main legal systems in the world. The members of the Board of Directors shall be among the persons who possess high morals, neutrality, integrity and competence in the field of protecting victims of serious crimes.

The Board of Directors shall meet at the seat of the Court at least once a year. The Registrar of the Court shall be responsible for providing such assistance as may be necessary for the proper functioning of the Board of Directors in carrying out its mission and shall also participate in the meetings of the Board of Directors in an advisory capacity. The Board of Directors shall also submit an annual report to the Assembly of States Parties on the activities and projects of the Trust Fund and on all contributions made, whether accepted or rejected.

In fact, providing assistance through the Trust Fund means recognizing that the beneficiary victim is a survivor of the most serious human rights crimes, and that such assistance works to stabilize conflict-affected communities and improve the lives of the individual victim.

Another example of funds established under an international agreement is the Special Fund for the Optional Protocol to the Convention against Torture, which was established in 2011 under Article (26) of the Optional Protocol to the United Nations Convention against Torture. The Special Fund relies entirely on voluntary contributions, and those contributions to the Fund help prevent torture by taking appropriate action on the ground. The Special Fund accepts contributions from governments, intergovernmental organizations, and private entities, including companies, foundations, non-governmental organizations, and individuals. Accordingly, the Fund focuses primarily on supporting national preventive mechanisms against torture. States parties to the Optional Protocol are also obligated to designate national preventive mechanisms within one year of the entry into force of the Protocol.

International Funds Established Under the Peace Agreement

A peace agreement is an effort to help countries and regions transition from war to peace, and to prevent any country from slipping back into conflict by strengthening national capacities to manage conflict and lay the foundations for peace and sustainable development. The structure of a peacebuilding agreement usually consists of a Peacebuilding Commission, a Support Office, and a Peacebuilding Fund. In addition, the Office administers the Peacebuilding Fund and provides services to the Secretary-General in coordinating efforts that may be made by United Nations agencies in the field of maintaining international peace and security. United Nations peacekeeping operations are a tool used by the international community to achieve this goal.)One of the clearest examples of this is the Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front, concluded in Lomé on 7 July 1999, where Article (3), Paragraph (4/A) stipulated the establishment of a trust fund, and then Article (29) thereof stated that “the

Government of Sierra Leone shall undertake the design and implementation of a rehabilitation programme for war victims with the support of the international community, and a special fund shall be established for this purpose.”), especially child combatants, as it stipulated the need to mobilize resources, whether from within the country or from the international community, in order to meet the special needs of these children, whether at the level of disarmament, demobilization and reintegration or at the level of education and health care. Also, take all appropriate legislative, administrative, social and educational measures to protect these children from all forms of violence, harm, physical or mental abuse or neglect.

The statement issued by the Government of Sierra Leone and the United Revolutionary Front of Sierra Leone on the delivery of humanitarian assistance in Sierra Leone, in which they affirm their respect for international agreements, principles and rules governing the right of people to receive humanitarian assistance and the effective delivery of such assistance, also reiterates their commitment to the implementation of the Ceasefire Agreement signed by the two parties in Lomé on 18 May 1999.

Also within the African scope, South Africa, the Truth and Reconciliation Commission was established in 1995 to shed light on the most serious human rights violations committed between March 1, 1960 and May 10, 1994, where its formation included three basic committees, including a committee devoted exclusively to finding ways to redress the victims (the Compensation and Rehabilitation Commission or Fund).

Second: International funds established pursuant to international resolutions Funds may be established through international meetings and conferences and voted on either unanimously or by a majority of member states. An example of this is the United Nations Voluntary Fund for Victims of Torture of 1981, which was established by General Assembly resolution 36/151 in 1981 in order to focus global attention on the needs and rights of victims. The Fund works to provide grants and medical, psychological, social, economic, legal, humanitarian or other forms of assistance to victims of torture and their family members, through non-governmental channels that seek rehabilitation and redress for victims, such as non-governmental organizations, specialized rehabilitation centers, victims’ associations, institutions, public and private hospitals, and legal aid centers. Individual human rights defenders, lawyers working on behalf of victims, are less deserving of it.) The Fund plays an important role in compensating victims, as it has provided grants to more than (620) organizations and centers worldwide since its inception, providing services to more than (50,000) victims each year. In (2019), the Board of Directors provided (160) grants within the framework of the Fund’s regular session, including (155) direct assistance projects estimated at approximately (7,069,000) US dollars and (5) training and capacity building projects (162,000 US dollars). In the same year, the Fund also granted approximately (800,000 US dollars) additionally for emergency projects that help victims in humanitarian and human rights crises.) It is worth noting that the Fund also promotes accountability and works to this end in coordination with the Committee against Torture and the Special Rapporteur. Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Another example is the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, which Established by General Assembly resolution 46/122 of 1991, it provides assistance and support to individuals whose human rights have been grossly violated as a result of modern slavery.)It also provides direct humanitarian, legal and financial assistance to victims by providing grants to non-governmental organizations. Since 1991 until now, the Fund has supported more than (400) organizations spread across (95) countries, and has contributed to the rehabilitation and support of thousands of victims.)The Fund focuses on projects that help individuals who suffer from the most abhorrent forms of human rights violations that occur in the context of contemporary forms of slavery and other forms of exploitation. It is worth noting that in 2023, the Fund provided (38) annual grants to help more than (000,7) Survivors of slavery in (32) countries around the world with an amount of (881,500) US dollars, and this was possible thanks to the voluntary contributions donated by eleven member states.

*The Second Topic**International Funds Management and Types*

The management of international funds for compensation for violations of human rights and international humanitarian law is either in the form of single-grant funds in which contributions received are managed in a separate fund or in the form of multi-grant funds in which contributions received from more than one donor are combined and managed in the form of a single pool of funds. In addition, international funds for compensation for violations of human rights enjoy an independent legal entity and also a legal personality, a status that allows them to receive financial allocations granted to them by the state and other financial contributions received by public or private persons. This is what we will explain in this section within two requirements, as follows:

First requirement: International Funds Management

The second requirement: Types of international funds

The first requirement

International Fund Management

Management means forecasting, planning, organizing, issuing orders, coordinating and controlling. The differences in the definition of the term fund are evident in the diversity of the legal structures of these mechanisms, as these structures constitute the beginning and the basic building block in building effective management and oversight of the fund. In light of this structure, the powers and responsibilities are determined and distributed and policies are drawn up, as a set of conditions and restrictions must be available in the structures related to the management of international funds, including supervision and oversight by the Board of Directors and a direct and continuous line of supervision for all work entities within the fund, as well as the independence and neutrality of risk management related to international funds.

From this logic, it is noted that there is a fundamental difference in terms of the management and composition of the funds. For example, we find a comparison between the United Nations Voluntary Fund for Victims of Torture and the United Nations Fund on Contemporary Forms of Slavery and the special fund for Chile. As for the first, it is subject to the management of the Office of the United Nations High Commissioner for Human Rights, with the advice of the Board of Trustees composed of five independent experts. The Board of Trustees meets once a year in order to set priorities, review policies and adopt recommendations regarding grants.)The Chile Fund, a fund established by the United Nations for victims of torture and other human rights violations in Chile after General Pinochet's coup,)Although it was intended for victims in only one country to compensate for the failures of one State, it falls into the category of international funds, being administered by the Secretary-General assisted by a Board of Directors composed of a Chairman and four members with extensive experience in the situation in Chile, who are appointed by the Secretary-General, with due regard to equitable geographical distribution and in consultation with their Governments, for a period of three years and are responsible for receiving and distributing contributions and providing humanitarian, legal and financial assistance, through existing assistance channels, to persons whose human rights have been violated as a result of their detention or imprisonment in Chile, to persons forced to leave that country, and to relatives of persons belonging to any of the above-mentioned groups.

We also find that the Victims of Trafficking in Persons Fund and the Trust Fund for Victims of Crimes Within the Jurisdiction of the International Criminal Court and their Families, where it is noted that the Victims of Trafficking in Persons Fund operates as a sub-fund of the United Nations Crime Prevention and Criminal Justice Fund and is managed by the United Nations Office on Drugs and Crime (UNODC))It shall be administered in accordance with the Financial Regulations and Rules of the United Nations and other relevant provisions, and shall also be advised by a Board of Trustees composed of five persons with

expertise in the field of trafficking in persons appointed by the Secretary-General, taking into account equitable geographical distribution, in consultation with Member States and the Executive Director of the United Nations Office on Drugs and Crime.)The Trust Fund for Victims of Crimes falls within the jurisdiction of the International Criminal Court. It consists of five members elected for a three-year term and may be re-elected once. They exercise their duties in their individual capacity and without any compensation. The Board of Directors of the Fund meets at least once a year.

The Second Requirement

Types of International Funds

International funds are financial instruments of an international nature that work to provide various forms of redress measures for victims of violations of human rights and international humanitarian law. Therefore, it is necessary to review the types of international funds as follows:

Funds Implementing the Compensation Due from the Person Responsible for the Violation.

This type of international funds is created in order to provide compensation resulting from a legal obligation, where it is necessary to determine the responsibilities provided for in violation of the rules of law (illegal act) or those provided for in objective liability without fault. From another point of view, it is permissible to establish mechanisms responsible for organizing the payment of compensation due from the states or individuals responsible for the violation. However, in the absence of a political will capable of implementing compensation, a compensation mechanism must be established within an entity with sufficient authority, as stated, for example, in relation to the United Nations Compensation Commission established by the Security Council. In order to organize the payment of compensation due from Iraq as a result of the damages resulting from the invasion of Kuwait.

Despite this, when the person responsible for paying compensation is a natural person, the creation of a fund makes it easier to transfer the amounts due from the guilty person to the victims. On the other hand, guarantee funds must be created first and foremost so that the victim is not left without compensation in cases where the person responsible cannot provide compensation. In addition, the International Criminal Court takes into account the seriousness of the official's error and the extent of its impact on the injured party when assessing compensation.

A relevant example is the Rome Statute's provision for the establishment of a Trust Fund for Victims of the International Criminal Court, which was established by the Assembly of States Parties in September 2002 by resolution No. 6 for the benefit of victims of crimes within the jurisdiction of the Court () On 3 December 2005, the Assembly of States Parties adopted (ASP)()The Trust Fund for Victims system, under Resolution (3), which stipulates that the Trust Fund is an independent entity, is one of the new developments introduced by the Rome Statute of the International Criminal Court. It is a unique institutional innovation that enables survivors to benefit from compensation, especially in cases that are still under investigation. Article 79 of the Statute states that "The Trust Fund shall be established by a decision of the Assembly of States Parties for the benefit of victims of crimes within the jurisdiction of the Court and for the benefit of the families of victims. It shall also grant the Court the authority to request the transfer to the Trust Fund of funds and property of the convicted person collected as fines or forfeitures. The last paragraph of Article 79 authorizes the Assembly of States Parties to administer and implement the rules and regulations of the Fund in accordance with the Rules of Procedure and Evidence.")As for the mandate of the Fund to compensate victims, it is considered, according to the provisions of Article 56 of the Rome Statute, the enforcer of the compensation orders issued by the Court against the convicted person. However, in return, the Court does not resort to paying compensation through the Trust Fund unless it is unable to pay it in full from the funds of the convicted person. The Court may not issue an order to pay compensation to any other party, except the Trust Fund and the convicted person. Redress for victims can take many different forms, including restitution, compensation and rehabilitation, and can be individual, collective or both. This broad mandate leaves room for the International Criminal Court to

determine the most appropriate forms of redress in light of the context of the situation and the wishes of the victims and their communities.

It should be noted that there are some bodies that differ from the Trust Fund, as they are not linked to an international jurisdiction, unlike the Victims Trust Fund. Other mechanisms have provided for the establishment of bank accounts in order to secure payments due from one party, such as the Iranian-American Commission, which was established in the wake of the diplomatic crisis in 1979, which was sparked by the taking of American diplomats hostage in Tehran during the Iranian Revolution.) The United Nations Compensation Commission was also established in 1991 as a subsidiary body of the United Nations Security Council, with a mandate to process claims and pay compensation for losses and damages resulting directly from the conflict. These losses included claims for loss of property, loss of natural resources, and other damage to public health and environmental damage.

Guarantee Funds Outside the Scope of Liability Systems

This type of fund has been established at the national level to compensate victims of human rights violations, for the purpose of providing compensation to victims in cases where liability systems do not allow for adequate compensation or reparation for victims or in the event that the perpetrator of the crime is unwilling to repair the damage caused to the victim, and also when he cannot identify the perpetrator of the crime or when his insurance is defective. For example, in France, compensation funds were created for victims of accidental damage, including the Automobile Insurance Fund in 1951, with the aim of compensating victims of road accidents whose perpetrators were not insured or whose identity was not established.) There is also a compensation fund for victims of intentional harm, namely the Victims of Attacks Compensation Fund, which has now become the Victims of Attacks Guarantee Fund. Terrorist acts and other crimes, its main mission is to compensate people who have been attacked on their physical safety, which led to the death of the victim, bodily harm or inability to perform work, as it is financed by imposing a tax on each insurance contract imposed on property.

In contrast, funds were also established at the international level, which also fall outside the liability system, with the aim of completing the compensation that the person responsible for the damage may pay, and that this liability is an objective liability, as it does not require the commission of an illegal act that constitutes a serious violation. One of the most prominent examples in this regard is the international funds for compensation for oil pollution, which is part of the international system of liability and compensation for oil pollution damages.

In this regard, we note that there is a fundamental difference between funds at the international level and guarantee funds, as it is noted that guarantee funds intervene as part of social solidarity, meaning that the amounts paid by the fund for the purposes of compensating the victims are always in return for crimes that the person may have committed in his personal name and not in solidarity with the international community, and that this has been stated in contrast to funds at the international level, and it is also noted that guarantee funds can work to reduce the victims' compensation based on their economic situation.

Funds That Provide Assistance to Victims of Violations

This type of fund does not provide compensation due on the basis of legal responsibility, but rather provides assistance measures on the basis of solidarity, where the work of the funds becomes more free as a result of not being bound by the rules of responsibility, and it determines itself the criteria through which the funds are disbursed. Despite this, compensation and assistance constitute two different legal concepts, but the procedure through which such measures are granted involves similarities, as is the case with the benefits actually provided to victims, which reach the same goal, which is to mitigate the damage from the consequences of the violations to which the victims were subjected. Assistance funds are also classified into two sections: assistance funds at the international level, which provide various forms of medical, psychological, legal and material assistance to victims of violations of human rights and international humanitarian law. These funds are included within the United Nations system, where such assistance is provided through local actors, as is the case, for example, with the 1981 Fund for Victims of Torture, which

was established by General Assembly Resolution No. (151/36) in order to focus global attention on the needs and rights of victims, as the fund works by providing grants and assistance. To civil society actors who provide medical, psychological, social, economic, legal, humanitarian or other forms of assistance to victims of torture and their family members. The 1991 Fund to Combat Contemporary Forms of Slavery, administered by the Secretary-General of the United Nations, was established by General Assembly Resolution No. 46/122 of 1991. It provides assistance and support to individuals whose human rights have been grossly violated as a result of modern slavery. It also provides direct humanitarian, legal and financial assistance to victims by providing grants to non-governmental organizations.), and also the South Africa Trust Fund () This allows victims the opportunity to obtain compensation regardless of any consideration relating to the perpetrator of the violation, whether he is not identified, insolvent, or a beneficiary of an amnesty, etc.

Also, national level assistance funds, where governments can establish such funds at the national level after the end of any conflict in order to reduce tensions and in order to respond to the requests of victims and civil society, i.e. it is a legal obligation to address serious violations of human rights and international humanitarian law. These funds are often used to finance collective projects for the benefit of victims. .

Conclusion

At the end of the research, a number of conclusions and proposals were reached, which we will refer to below:

First: Conclusions

- International funds aim to enhance social solidarity and help ensure basic human rights in difficult circumstances by providing financial support and assistance.
- International funds are an important mechanism for dealing with damages resulting from human rights violations that occur in various contexts, including wars, armed conflicts, and others.
- International funds are a vital tool for achieving justice and redress for victims, but they cannot be the sole solution to problems related to violations.
- International funds work to provide financial support to those affected if the responsible parties are unable to provide the required compensation.
- Achieving legal protection for victims of human rights violations requires the integration of multiple efforts at the national and international levels, through enhancing cooperation between governments and international organizations.

Second: Recommendations

- There must be clear mechanisms to independently investigate violations to ensure the credibility of the data collected about victims, and thus achieve justice.
- Fair and transparent criteria must be established to determine the amount of compensation that victims receive, based on the type of violations and the extent of the harm they suffered.
- Providing support and awareness to victims on how to obtain compensation, which contributes to accelerating the provision of the necessary assistance to them.
- The supervision of national funds by international organizations is an important step towards achieving justice and equality in addressing compensation issues at a global level. This contributes

to unifying the standards and procedures followed in compensating victims, enhances transparency, and reduces disparities between countries.

- Providing compensation funds before national and international judicial bodies is an important step to ensure that victims receive fair compensation. This requires strengthening the legal framework and facilitating procedures to ensure the speed and effectiveness of compensation.

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