



**DESIGNING A TRUST FUND FOR THE
TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS:
PRECEDENTS AND PROPOSALS**

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As the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW) moves into its implementation phase, the proposal to create a positive obligations trust fund has generated much discussion among states parties and other stakeholders. Such funds are often used to support operationalization of treaty provisions or to promote humanitarian measures independent of legally binding instruments. The TPNW trust fund would advance the treaty's humanitarian objectives by financing programs that assist people harmed by or take steps to clean environments contaminated by nuclear weapons use or testing. Furthermore, grants from the trust fund would make it easier for affected states parties to meet their victim assistance and environmental remediation obligations under Article 6, while donating to the fund would be one way states parties could meet their Article 7 obligations related to international cooperation and assistance. The TPNW trust fund could thus offer significant value to the implementation process as a mechanism that would bolster the humanitarian purpose of the treaty and help states parties fulfill their legal duties.

The Vienna Action Plan, adopted at the TPNW's First Meeting of States Parties (1MSP) in June 2022, lays out a clear mandate for states parties to engage in conversations about a trust fund. The Action Plan commits states parties to take measures to implement the TPNW, including Articles 6 and 7. Action 29 from the Vienna Action Plan calls on states parties to "discuss the feasibility of, and propose possible guidelines for, establishing an international trust fund" to provide financial support for victim assistance and environmental remediation.¹ Kazakhstan and Kiribati, co-chairs of the informal intersessional working group for the implementation of Articles 6 and 7 (the positive obligations working group), have identified the trust fund as one of three issues the working group will address before the Second Meeting of States Parties in November 2023.² The working group held its first meeting dedicated to the trust fund in December 2022, and more meetings are scheduled for early 2023.

¹ Vienna Action Plan, in "Report of the First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons," TPNW/MSP/2022/6, July 21, 2022, <https://assets.nationbuilder.com/ican/pages/2149/attachments/original/1661331741/N2243457.pdf?1661331741> (accessed January 11, 2023), p. 15.

² The other issues are voluntary reporting and national implementation measures.

The International Human Rights Clinic at Harvard Law School (IHRC) seeks to inform the efforts of the positive obligations working group through a comparative analysis of existing international trust funds. Action 29 of the Vienna Action Plan specifically notes that any trust fund should “tak[e] into account relevant precedents.”⁶ Therefore, IHRC reviewed 10 international trust funds (see Appendix A), most of which provide financial support for assisting affected people or addressing the impacts of arms. IHRC focused its research on five trust fund features, which largely align with the questions posed by Kazakhstan and Kiribati in their working paper presented at the December meeting of the positive obligations working group:³

- Who should be eligible to contribute?
- Who should make distribution decisions?
- Who should be eligible to receive funds?
- What kinds of projects should be funded?
- What measures should be used for reporting and accountability?

The chart in Appendix B, which offers a broader view, provides comparative information on these and some additional features, such as the origins of the trust fund, criteria for fund distribution, and certain aspects of fund administration.

IHRC used its study of existing trust funds to develop recommendations for the design of a trust fund established under the TPNW. The proposal draws on precedent for each design feature and adapts it, as necessary, to the nuclear weapons context. The report focuses on the design features of the trust fund models, rather than their implementation or assessments of their effectiveness.

After providing a short overview of Articles 6 and 7 and the trust funds examined by IHRC, this report presents IHRC’s comparative analysis of existing trust funds and its proposal for the fundamental structural elements of a trust fund established under the TPNW. Based on precedent from existing trust funds, the humanitarian objectives of the TPNW, and the distinctive challenges of dealing with the complex and long-term effects of nuclear weapons, IHRC recommends that a TPNW trust fund:

- Encourage contributions from the broadest range of actors—states parties, states not party, international organizations, nongovernmental organizations (NGOs), the private sector, and individuals—to maximize its humanitarian impact;
- Create a board of trustees or a committee, diverse in geography and gender, that consists of representatives from states parties, representatives of affected communities, and independent experts to make grant distribution decisions informed by varied perspectives and expertise;
- Consider, if the trust fund’s resources are initially limited, prioritizing grants for states parties and organizations with projects in states parties and over time expanding

³ “Working paper on Implementing Articles 6 and 7 of the Treaty on the Prohibition of Nuclear Weapons (TPNW) for the ___ Meeting of the TPNW’s States Parties,” Submitted by Kazakhstan and Kiribati, December 2, 2022. IHRC combined questions three and five, linking details about grant size and length to its discussion of the types of programs the TPNW trust fund could support. The seventh question raised by Kazakhstan and Kiribati concerned the administrative details of the TPNW trust fund. These details fall beyond the scope of this report, but the conclusion highlights important administrative questions that states parties will need to address at a later point.

eligibility to states not party and organizations working in states not party in order to maximize the trust fund's humanitarian impact;

- Provide grants, flexible in size and length, to projects that build capacity in affected states, assist individuals in affected communities, or support environmental remediation measures; and
- Adopt substantive, yet non-burdensome reporting requirements for fund managers and grantees that are transparent and ensure appropriate allocation and use of funds.

While this proposal constitutes a framework for the structure of a TPNW trust fund, the report notes in its conclusion that more work will need to be done to develop the operational and administrative details of the fund.

States parties should develop the elements of the trust fund through an inclusive process that honors the TPNW's history of partnership. They should consult in particular with members of affected communities to ensure that the fund truly addresses their needs. The perspectives of affected communities as well as other stakeholders will thus be essential throughout the process of fine-tuning the structural, operational, and administrative details of the fund.

Context

The TPNW's Positive Obligations

The TPNW trust fund would be designed to implement the treaty's positive obligations, which are broad reaching and collaborative endeavors. Article 6(1) of the TPNW requires states parties to "adequately provide age- and gender-sensitive assistance, without discrimination" to individuals affected by nuclear weapons use or testing who are under their jurisdiction. That assistance should include medical care, rehabilitation, and psychological support, as well as measures to ensure social and economic inclusion.⁴ Victim assistance should be understood both to address immediate and ongoing needs and to promote the full realization of the human rights of those affected.⁵ Article 6(2) obligates states parties to take "necessary and appropriate measures" toward environmental remediation of areas under their jurisdiction or control contaminated by activities related to the use or testing of nuclear weapons.⁶ Remediation measures should include assessment of the problem, containment and treatment, long-term waste management, risk education, and measures, such as marking and fencing, to prevent exposure to contaminated sites.⁷ Both prongs of Article 6 are long-term enterprises that can extend across generations.

⁴ Treaty on the Prohibition of Nuclear Weapons (TPNW), adopted July 7, 2017, entered into force January 22, 2021, art. 6(1).

⁵ Harvard Law School International Human Rights Clinic (IHRC) and Conflict and Environment Observatory (CEOBS), *Confronting Conflict Pollution: Principles for Assisting Victims of Toxic Remnants of War* (2020), <http://hrp.law.harvard.edu/wp-content/uploads/2020/09/Confronting-Conflict-Pollution.pdf> (accessed January 12, 2023).

⁶ TPNW, art. 6(2).

⁷ IHRC and CEOBS, *Facing Fallout: Principles for Environmental Remediation of Nuclear Weapons Contamination* (2022), <https://hrp.law.harvard.edu/wp-content/uploads/2022/06/Facing-Fallout-2022.pdf> (accessed January 12, 2023).

A trust fund is an appropriate tool to advance victim assistance and environmental remediation in part because the TPNW makes clear that those activities are shared responsibilities. Article 7 stipulates that all states parties should cooperate and those “in a position to do so” should provide affected states parties with technical, material, or financial assistance in order to further implementation of the treaty’s obligations, notably those under Article 6.⁸ A trust fund established under the TPNW would be one way to deliver financial aid under Article 7. It would not preclude other forms of assistance, and since assistance can take a variety of forms, every state party should be in a position to provide some sort of support, including in-kind assistance or expertise flowing through avenues outside of the trust fund.

Trust Fund Models

To develop recommendations for the framework of a TPNW trust fund, this report examines 10 existing funds. It compares their key structural features and applies and adapts relevant elements to the TPNW context.

The trust funds selected for discussion in this report come from the fields of human rights, disarmament, and international criminal law. They were created under the auspices of international treaties or by UN or regional bodies. Some of the trust funds are designed to support victims of particular international law violations. They include:

- The International Criminal Court Trust Fund for Victims (ICC Victims Trust Fund),
- The Trust Fund of the International Support Network for Victims of Chemical Weapons (Victims of Chemical Weapons Trust Fund),
- The UN Voluntary Fund for Victims of Torture (UN Victims of Torture Fund), and
- The UN Voluntary Trust Fund for Victims of Trafficking in Persons (UN Victims of Trafficking Trust Fund).

Others are designed to advance the human rights and well-being of specific groups:

- The Council of Europe Development Bank Migrant and Refugee Fund (CEB Migrant and Refugee Fund), and
- The UN Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD Trust Fund).

These trust funds’ common mandate to assist affected persons is analogous to one of the purposes of the TPNW trust fund: to “provide aid to assist survivors” of nuclear weapons use or testing.⁹

The report also examines trust funds that address arms or nuclear matters. They include:

- The Arms Trade Treaty Voluntary Trust Fund (ATT Trust Fund),
- The International Atomic Energy Agency Peaceful Uses Initiative (IAEA PUI),

⁸ TPNW, art. 7(3).

⁹ Vienna Action Plan, p. 15.

- The UN Trust Fund Facility Supporting Cooperation on Arms Regulation (UNSCAR), and
- The UN Voluntary Trust Fund for Assistance in Mine Action (UN Mine Action Trust Fund).

The IAEA PUI and the UN Mine Action Trust Fund are particularly relevant to the TPNW trust fund's environmental remediation objectives because they deal with radioactive materials and remnants of war, respectively.¹⁰

IHRC also examined the newly proposed climate change “loss and damage” fund but found it premature to include the fund in its comparative analysis. At the 27th Conference of the Parties (COP27) of the UN Framework Convention on Climate Change in November 2022, delegates reached a deal to establish a trust fund that would provide assistance to states that are most vulnerable to and suffering harm from the effects of climate change.¹¹ The transnational committee responsible for making recommendations on its design and implementation has not yet met.¹² Nonetheless, as the COP27 climate fund is developed, it will likely be relevant to discussions about a trust fund within the TPNW context.

Who should be eligible to contribute?

Before determining the distribution details of the TPNW trust fund, states parties must first decide who is eligible to contribute to the fund. To maximize the humanitarian objectives of the TPNW, the trust fund should accept contributions from the widest range of actors possible.¹³ Drawing on precedent from other trust funds, the TPNW trust fund should encourage donations from states parties, other states, international organizations, NGOs, the private sector, and individuals.

The trust funds analyzed for this project each allow voluntary contributions by some combination of these actors. All of the funds permit national governments to contribute, though some limit eligibility to states parties or member states. For example, the Victims of Chemical Weapons Trust Fund and ICC Victims Trust Fund limit government contributors to states parties of the conventions that created them.¹⁴ Similarly, the CEB Migrant and Refugee Fund and IAEA

¹⁰ Ibid.

¹¹ “COP27 Reaches Breakthrough Agreement on New ‘Loss and Damage’ Fund for Vulnerable Countries,” UN Climate Press Release, November 20, 2022, <https://unfccc.int/news/cop27-reaches-breakthrough-agreement-on-new-loss-and-damage-fund-for-vulnerable-countries> (accessed December 12, 2022).

¹² Ibid.

¹³ TPNW, pmbl. paras. 2, 10.

¹⁴ Conference of the States Parties to the Organisation on the Prohibition of Chemical Weapons, “The Establishment of the International Support Network for Victims of Chemical Weapons and the Establishment of a Voluntary Trust Fund for this Purpose,” C-16/DEC.12, December 2, 2011, https://www.opcw.org/sites/default/files/documents/CSP/C-16/en/c16dec13_e_.pdf (accessed January 11, 2023), p. 2; “Our Donors,” The Trust Fund for Victims, undated, <https://www.trustfundforvictims.org/index.php/en/about/our-donors> (accessed January 11, 2023), paras. 2-3.

PUI limit government contributors to member states of the CEB and IAEA respectively.¹⁵ Most funds, however, permit all states to contribute: the ATT Trust Fund, UN Mine Action Trust Fund, UN Victims of Torture Fund, UN Victims of Trafficking Trust Fund, UNPRPD Trust Fund, and UNSCAR.¹⁶ It is important to note, however, that when all states may contribute, contributions from member parties tend to dominate. For example, the ATT Trust Fund, which accepts contributions from any state, has only received donations from states parties to the treaty.¹⁷

The majority of trust funds examined for this report accept donations from non-state actors. International organizations or NGOs can donate to certain funds, including the ICC Victims Trust Fund, UN Mine Action Trust Fund, and UNPRPD Trust Fund.¹⁸ In 2021, for example, the European Union, UN Development Program, and UN Children’s Fund (UNICEF) gave to the UN Mine Action Trust Fund.¹⁹ Private sector donors may contribute to funds like the ATT Trust Fund, IAEA PUI, ICC Victims Trust Fund, UN Victims of Torture Fund, UN Victims of Trafficking Trust Fund, UNPRPD Trust Fund, and UNSCAR.²⁰ Individuals can give to the ICC Victims Trust Fund, UN Mine Action Trust Fund, UN Victims of Torture Fund, and UN Victims

¹⁵ “Delivering aid to refugees from Ukraine,” Council of Europe Development Bank, undated, <https://coebank.org/en/partnering-with-donors/migrants-and-refugees/delivering-aid-to-refugees-from-ukraine/> (accessed January 11, 2023), para. 3; Shoto Kamishima, “Ten Years of the IAEA Peaceful Uses Initiative,” IAEA, November 2020, <https://www.iaea.org/bulletin/ten-years-of-the-iaea-peaceful-uses-initiative> (accessed January 11, 2023), para. 2.

¹⁶ “Voluntary Trust Fund (VTF): How to Donate?” Arms Trade Treaty (ATT), undated, <https://thearmstradetreaty.org/voluntary.html> (accessed January 11, 2023); “Financial Situation of the Fund: UN Voluntary Fund for Victims of Torture,” Office of the UN High Commissioner for Human Rights (OHCHR), undated, <https://www.ohchr.org/en/about-us/ohchrs-funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/financial-situation-fund> (accessed January 11, 2023), para. 1; “Supporting UNVTF,” UN Office on Drugs and Crime (UNODC), undated, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_donors.html (accessed January 11, 2023), para. 2; Mine Action, “The United Nations Voluntary Trust Fund for Assistance in Mine Action,” undated, https://mineaction.org/sites/default/files/documents/vtf_spread_for_e-mine.pdf (accessed January 11, 2023); UNSCAR, “Information for Donors,” undated, https://s3.amazonaws.com/unoda-web/wp-content/uploads/2013/06/Information-for-Donors_UNSCAR.pdf (accessed January 11, 2022).

¹⁷ “Voluntary Trust Fund (VTF): What is the VTF?” ATT, undated, <https://thearmstradetreaty.org/voluntary.html> (accessed January 11, 2023).

¹⁸ “Our Donors,” The Trust Fund for Victims, <https://www.trustfundforvictims.org/index.php/en/about/our-donors>, para. 4; Mine Action, “The United Nations Voluntary Trust Fund for Assistance in Mine Action,” https://mineaction.org/sites/default/files/documents/vtf_spread_for_e-mine.pdf; “Frequently Asked Questions,” UN Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD MPTF), undated, <https://www.unprpd.org/faq> (accessed January 11, 2023).

¹⁹ UN Mine Action Service (UNMAS), “UNMAS Annual Report 2021,” 2021, https://www.unmas.org/sites/default/files/annual_report_high_res_0.pdf (accessed December 1, 2022), p. 5.

²⁰ “Voluntary Trust Fund (VTF): How to Donate?” ATT, <https://thearmstradetreaty.org/voluntary.html>; Kamishima, “Ten Years of the IAEA Peaceful Uses Initiative,” IAEA, <https://www.iaea.org/bulletin/ten-years-of-the-iaea-peaceful-uses-initiative>; “Our Donors,” The Trust Fund for Victims, <https://www.trustfundforvictims.org/index.php/en/about/our-donors>, para. 4; “Financial Situation of the Fund: UN Voluntary Fund for Victims of Torture,” OHCHR, <https://www.ohchr.org/en/about-us/ohchrs-funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/financial-situation-fund>, para. 1; “How to Donate,” UNODC, undated, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_donate-now.html (accessed January 11, 2023), para. 2; “Frequently Asked Questions,” UNPRPD MPTF, <https://www.unprpd.org/faq>; UNSCAR, “Information for Donors,” https://s3.amazonaws.com/unoda-web/wp-content/uploads/2013/06/Information-for-Donors_UNSCAR.pdf.

of Trafficking Trust Fund.²¹ International organization, NGOs, private sector, and individual contributions typically comprise a small portion of total donations, however, with donations from states representing the majority.

Given that the TPNW is a humanitarian treaty, widening the donation pool beyond its states parties has significant advantages. While there may be some reluctance to allow states to contribute to a trust fund associated with a treaty to which they are not party, maximizing monetary contributions to increase resources for victim assistance and environmental remediation is crucial. Additionally, permitting states not party to contribute may ultimately promote universalization. As states not party gain exposure to the TPNW and its mission, they may be motivated to join the treaty. Even before they sign or ratify, their engagement with the TPNW in this capacity may increase their alignment with the treaty's objectives. Regardless, states parties and others committed to the TPNW should retain control of the fund. Non-state actors, notably international organizations, NGOs, the private sector, and individuals, may not be major donors, but their assistance would be welcome.

Who should make distribution decisions?

A trust fund typically empowers a body, such as a board of trustees or selection committee, consisting of states, independent experts, or other entities to make distribution decisions. These bodies are designed to serve the unique needs of each fund. Given the distinctive expertise required to provide victim assistance and remediate the environment in the nuclear context, a TPNW trust fund should create a board of trustees or committee comprising a combination of representatives of states parties, representatives of affected communities, and independent experts to make distribution decisions. The board should be diverse in geography and gender.

Some trust funds examined for this project assign distribution decisions to a body consisting of state representatives. For example, the ATT Trust Fund empowers a selection committee of states parties to the ATT to review a secretariat's shortlist of project proposals and make final choices.²² The selection committee is made of up to 15 representatives from states parties, appointed by the Conference of States Parties.²³ UNSCAR leaves decisions about fund distribution to the fund's donor countries through the UNSCAR Strategic Planning Group.²⁴

Other trust funds rely on independent experts, sitting on a board of trustees or board of directors, to make distribution decisions. For example, the ICC Victims Trust Fund, UN Victims of Torture Fund, and UN Victims of Trafficking Trust Fund assign ultimate decisions about resource

²¹ "Our Donors," The Trust Fund for Victims, <https://www.trustfundforvictims.org/index.php/en/about/our-donors>, para. 4; "Financial Situation of the Fund: UN Voluntary Fund for Victims of Torture," OHCHR, <https://www.ohchr.org/en/about-us/ohchrs-funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/financial-situation-fund>, para. 1; "How to Donate," UNODC, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_donate-now.html, para. 2.

²² ATT, "Voluntary Trust Fund: Administrative Rules," September 2018, [https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20\(Rev1\)%20-%20Sept%202018/VTF%20Administrative%20Rule%20\(Rev1\)%20-%20Sept%202018.pdf](https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20(Rev1)%20-%20Sept%202018/VTF%20Administrative%20Rule%20(Rev1)%20-%20Sept%202018.pdf) (accessed January 11, 2023), p. 2-4.

²³ *Ibid.*, p. 2.

²⁴ UNSCAR, "Information for Donors," https://s3.amazonaws.com/unoda-web/wp-content/uploads/2013/06/Information-for-Donors_UNSCAR.pdf.

allocation to five-member expert boards of trustees that serve for three-year terms.²⁵ The ICC Victims Trust Fund’s board of trustees is elected by the Assembly of States Parties.²⁶ The UN Victims of Torture Fund and the UN Victims of Trafficking Trust Fund’s board members are each appointed by the UN secretary-general.²⁷ All three bodies make decisions are supported by other entities, such as a registrar, secretariat, or UN office.²⁸

Such funds generally specify expertise on relevant issue areas as a requirement for appointment. For example, board members of the UN Victims of Torture Fund must have “expertise in human rights, in particular torture and its effects on individuals, families and communities, as well as knowledge of other relevant fields such as fundraising and project management.”²⁹ The UN Victims of Trafficking Trust Fund’s board members must have “relevant experience in the field of trafficking in persons.”³⁰

The UNPRPD Trust Fund adopts a mixed approach to its decision-making structure that facilitates the full and effective participation of affected persons. The fund’s management committee is responsible for reviewing and approving proposals for the allocation of funds.³¹ The committee seats UN organizations that participate in the programmatic aspects of the UNPRPD’s operations (described as Participating UN Organizations, or PUNOs),³² three

²⁵ “Board Members,” The Trust Fund for Victims, undated, <https://www.trustfundforvictims.org/index.php/en/about/board-of-directors> (accessed January 11, 2023); “The Board of Trustees: UN Voluntary Fund for Victims of Torture,” OHCHR, undated, <https://www.ohchr.org/en/about-us/funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/board-trustees> (accessed January 11, 2023); “About,” UNODC, undated, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_about.html (accessed January 11, 2023), para. 3.

²⁶ “Board Members,” The Trust Fund for Victims, <https://www.trustfundforvictims.org/index.php/en/about/board-of-directors>.

²⁷ “The Board of Trustees: UN Voluntary Fund for Victims of Torture,” OHCHR, <https://www.ohchr.org/en/about-us/funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/board-trustees>; “About,” UNODC, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_about.html.

²⁸ The registrar of the ICC provides assistance “as is necessary for the proper functioning of the Board” and participates in Board meetings in an advisory capacity. ICC Assembly of States Parties, “Establishment of a Fund for the Benefit of Victims of Crimes within the Jurisdiction of the Court, and of the Families of Such Victims,” Resolution ICC-ASP/A/Res.6, September 2002, https://asp.icc-cpi.int/sites/asp/files/asp_docs/Resolutions/ICC-ASP-ASP1-Res-06-ENG.pdf (accessed January 11, 2023), p. 2. UN Victims of Torture Fund is supported by the fund’s secretariat. “How the Fund Is Managed: UN Voluntary Fund for Victims of Torture,” OHCHR, undated, <https://www.ohchr.org/en/about-us/ohchrs-funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/how-fund-managed> (accessed January 11, 2023), para. 1. UN Victims of Trafficking Fund is supported by UNODC. “About,” UNODC, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_about.html.

²⁹ “The Board of Trustees: UN Voluntary Fund for Victims of Torture,” OHCHR, <https://www.ohchr.org/en/about-us/funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/board-trustees>.

³⁰ “About,” UNODC, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_about.html.

³¹ “Governance,” UNPRPD MPTF, undated, <https://www.unprpd.org/governance> (accessed January 11, 2023), para. 3.

³² UNPRPD Participating UN Organizations (PUNOs) include the International Labour Organization (ILO), Office of the UN High Commissioner for Human Rights (OHCHR), UN Department of Economic and Social Affairs (UN DESA), UN Development Program (UNDP), UN Educational, Scientific, and Cultural Organization (UNESCO), UN Population Fund (UNFPA), UN Children’s Fund (UNICEF), UN Women, and the World Health Organization (WHO). UNPRPD MPTF, “Strategic Operational Framework 2020-2025,” July 2020, https://unprpd.org/sites/default/files/library/2022-01/UNPRPD%20SOF%202020-2025%20ACC_0.pdf (accessed January 11, 2023), p. 15.

UNPRPD Trust Fund donors, a representative of the International Disability and Development Consortium (IDCC), and a representative of the International Disability Alliance (IDA).³³ The IDCC is a group of civil society organizations promoting inclusive international development and humanitarian action, with a special focus on persons with disabilities.³⁴ The IDA is an alliance of global and regional organizations of persons with disabilities.³⁵ The IDA's participation in all levels of the fund's governance structure helps realize the fund's commitment to enable the "full and effective participation of persons with disabilities and [organizations of persons with disabilities] in the implementation and monitoring of the CRPD at country level."³⁶ When reviewing proposals, the management committee also utilizes the recommendations of a committee of "technical experts."³⁷ As a result, the UNPRPD Trust Fund represents a unique multi-stakeholder model for decision-making that ensures the participation of UN entities, donor countries, civil society organizations, and affected persons, while also soliciting expert input.

Diversity is another key criterion of some funds' decision-making bodies. The ATT Trust Fund's selection committee includes donor and non-donor states parties to "ensure diverse representation."³⁸ Seats on the ICC Victims Trust Fund's five-member board of directors are "distributed according to the five major world regions."³⁹ The UN Victims of Torture Fund's five-member board of trustees is similarly comprised of members from each geographical region.⁴⁰ The UN Victims of Trafficking Trust Fund's expert board members are also selected with "due regard to geographical representation."⁴¹

Considering both existing trust fund models and the nuclear weapons context, distribution decisions for the TPNW trust fund should be made by a diverse board of trustees, or other committee, comprised of representatives of states parties, representatives of affected communities, and independent experts. Consistent with its predecessors' example, the body should be geographically diverse. Gender diversity should also be a factor of board composition, in line with the TPNW's sensitivity to the gendered impacts of nuclear weapons use and testing and the treaty's recognition of the importance of "strengthening the effective participation of women in nuclear disarmament."⁴² Following the lead of the UNPRPD Trust Fund, the TPNW trust fund should combine categories of actors in its decision-making body. Creating a board that brings groups together is consistent with the partnership approach that has characterized the

³³ Ibid., p. 50.

³⁴ "About," International Disability and Development Consortium, undated, <https://www.iddconsortium.net/about/> (accessed January 11, 2023), para. 1.

³⁵ "Who We Are," International Disability Alliance, undated, <https://www.internationaldisabilityalliance.org/> (accessed January 12, 2023).

³⁶ UNPRPD MPTF, "Strategic Operational Framework 2020-2025," https://unprpd.org/sites/default/files/library/2022-01/UNPRPD%20SOF%202020-2025%20ACC_0.pdf, p. 24.

³⁷ Ibid., p. 50.

³⁸ ATT, "Voluntary Trust Fund: Information Brochure," September 26, 2017, [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf) (accessed January 11, 2023), p. 2.

³⁹ "Board Members," The Trust Fund for Victims, <https://www.trustfundforvictims.org/index.php/en/about/board-of-directors>.

⁴⁰ "The Board of Trustees: UN Voluntary Fund for Victims of Torture," OHCHR, <https://www.ohchr.org/en/about-us/funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/board-trustees>.

⁴¹ "About," UNODC, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_about.html.

⁴² TPNW, pmb., paras. 4, 22.

TPNW, like all humanitarian disarmament treaties, since its inception. The nature of the treaty provides several reasons for incorporating these particular actors in a decision-making body.

First, including representatives from TPNW states parties would amplify the voices of states that have already committed to the TPNW's cause by joining the treaty. States that have indicated their dedication to the TPNW deserve to contribute to decisions about its future and finances. Empowering states parties to make decisions about fund distribution may also increase overall donations because states may be more willing to contribute if they have a say in how their money is being allocated. It is also sensible to permit states parties to contribute to distribution decisions because, as discussed in the next section, states parties should be eligible to receive the fund's grants. In other trust funds, eligibility to serve on the board and eligibility to receive funds are correlated. For instance, the ATT Trust Fund, which allows states parties to receive funds, includes representatives from states parties on its selection committee.⁴³

Second, incorporating representatives of communities affected by nuclear weapons use or testing on the TPNW fund's decision-making body would provide several benefits. Affected individuals and communities have a right to be involved in matters that can alter their lives. In addition, they can provide critical expertise, bringing a unique understanding of the effects of nuclear use and testing, victims' needs, and how best to address those needs. There is precedent in the UNPRPD Trust Fund for incorporating affected persons in fund decision-making bodies, and having representatives of affected communities on the board of trustees will also help states parties fulfill Action 25 of the Vienna Action Plan, which notes that victim assistance, environmental remediation, and international cooperation and assistance should be conducted "in coordination with affected communities."⁴⁴ Since, as the TPNW recognizes, nuclear weapons activities have had a disproportionate impact on indigenous people, their inclusion among affected communities is vital, independent of wider inclusion of indigenous nations through any other mechanisms that the fund could develop.⁴⁵ Identification of representatives, as well as addressing administrative concerns such as coverage of expenses to ensure participation, should be done in close consultation with these communities. Given the TPNW's humanitarian purpose and recognition of the "unacceptable suffering of and harm" to victims of nuclear weapon use and testing, the design of the TPNW fund should meaningfully incorporate the views of affected communities.⁴⁶

Finally, independent experts, working in their personal capacity, would bring specific subject-matter knowledge that would complement the perspectives of state party and affected community representatives. For example, lawyers, drawing on precedent from disarmament and other fields, could comment on projects related to the development of national plans, laws, and policies. Health professionals could offer insights on proposals addressing physical, psychological, and psychosocial harm, including that which crosses generations. Nuclear and environmental scientists, such as those from the TPNW's scientific advisory group, could assess the technicalities of environmental remediation projects, including the challenges posed by nuclear

⁴³ ATT, "Voluntary Trust Fund: Information Brochure," [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf), p. 2-3.

⁴⁴ Vienna Action Plan, p. 15.

⁴⁵ TPNW, pmbL., para. 7.

⁴⁶ *Ibid.*, pmbL., para. 6.

harm mitigation and waste management, which can last decades or even centuries. Other experts could complement technical perspectives with valuable knowledge of, among other topics, cultural impacts, socioeconomic inclusion, and risk education. The inclusion of independent experts and affected communities alongside states parties not only mirrors the distinctly collaborative character of the TPNW but also aligns with recipient eligibility, since as discussed below, non-state actors as well as states parties should be permitted to receive funds. The ICC Victims Trust Fund, the UN Victims of Torture Fund, and the UN Victims of Trafficking Trust Fund, which provide grants to non-state actors, also include experts on their boards of trustees. Importantly, the TPNW fund should permit the board's independent experts and affected communities to come from any state, given that many qualified and knowledgeable candidates may reside in states not party to the treaty.

Who should be eligible to receive funds?

Existing trust fund models offer a range of options for who should be eligible to receive assistance from the TPNW trust fund, including state and non-state actors. To maximize the humanitarian impact of the TPNW's victim assistance and environmental remediation obligations, the trust fund could provide assistance to the broadest range of possible recipients, including states not party to the TPNW and organizations working in those states. Given the treaty's relative youth and the absence of many major international donors in its current list of states parties, however, the fund will likely have limited funding available at the outset. To guide its distribution decisions, the fund's decision-making body could, therefore, choose to prioritize assistance to states parties and organizations with projects in states parties, and consider extending access to the fund over time. Such a design would allow access to the fund to remain an incentive to join the TPNW and ensure that funding flows to entities that have demonstrated a firm commitment to the TPNW's objectives in the near term, while enabling the fund to expand to more beneficiaries in the future.

Some of the trust funds examined for this report make states or state actors eligible to receive contributions. For example, the ATT Trust Fund makes eligible any state party seeking assistance in implementing ATT obligations and may also approve funding for project proposals submitted by other states that have shown a "clear and unambiguous political commitment to accede to the ATT requiring assistance to implement the Treaty."⁴⁷ The CEB Migrant and Refugee Fund supports its member states to "accommodate migrants and refugees who arrived on their territories" including by awarding grants to state ministries.⁴⁸ An alternative model supports member states indirectly through projects implemented by a partner. For example, IAEA PUI funds IAEA projects that specifically list member states as beneficiaries.⁴⁹ For

⁴⁷ ATT, "Voluntary Trust Fund: Information Brochure," [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf), p. 2.

⁴⁸ "CEB Approves Almost €2 Million to Help Refugees from Ukraine in Bulgaria, Estonia, Lithuania and the Republic of Moldova," *ReliefWeb*, May 11, 2022, [https://reliefweb.int/report/bulgaria/ceb-approves-almost-eu2-million-help-refugees-ukraine-bulgaria-estonia-lithuania-and-republic-moldova#:~:text=The%20Migrant%20and%20Refugee%20Fund,European%20Investment%20Bank%20\(EIB\)](https://reliefweb.int/report/bulgaria/ceb-approves-almost-eu2-million-help-refugees-ukraine-bulgaria-estonia-lithuania-and-republic-moldova#:~:text=The%20Migrant%20and%20Refugee%20Fund,European%20Investment%20Bank%20(EIB)) (accessed January 11, 2023).

⁴⁹ "Peaceful Uses Initiative," IAEA, undated, <https://www.iaea.org/services/key-programmes/peaceful-uses-initiative> (accessed January 12, 2023).

example, IAEA PUI funding has been used to finance several Integrated Nuclear Infrastructure Review missions, in which IAEA staff and international experts assess the status of national infrastructure for the introduction of nuclear power within a member state, upon that state's request.⁵⁰

Numerous trust funds award grants to various non-state actors, including nongovernmental and international organizations. For example, the UN Victims of Torture Fund, the UN Victims of Trafficking Trust Fund, and UNSCAR all fund projects by NGOs.⁵¹ The CEB Migrant and Refugee Fund and UNSCAR provide funding to international organizations.⁵² The ICC Victims Trust Fund provides financial and other forms of assistance to victims, directly or through intermediaries, to effectuate reparations for victims of international crimes within ICC jurisdiction.⁵³

Several trust funds that restrict eligibility for funding still encourage or require applicants to partner with other entities. For example, UNSCAR explicitly stipulates that governments that need support can identify and partner with a non-state entity, such as a UN partner, a regional organization, an NGO, or academic institution, that is eligible to apply for funding.⁵⁴ While UNPRPD only permits the fund's participating UN organizations to apply for funding, the fund requires that all proposals be developed jointly with national governments and organizations of persons with disabilities.⁵⁵ Even the ATT Trust Fund, which only enters into grant agreements with states, allows the assistance projects proposed by the beneficiary state to be "implemented

⁵⁰ Kamishima, "Ten Years of the IAEA Peaceful Uses Initiative," IAEA, <https://www.iaea.org/bulletin/ten-years-of-the-iaea-peaceful-uses-initiative>; "Integrated Nuclear Infrastructure Review (INIR)," IAEA, undated, <https://www.iaea.org/services/review-missions/integrated-nuclear-infrastructure-review-inir#:~:text=INIR%20is%20a%20holistic%20peer,and%20sustainable%20nuclear%20power%20programme> (accessed January 12, 2023).

⁵¹ "How to Apply for an Annual Grant: UN Voluntary Fund for Victims of Torture," OHCHR, undated, <https://www.ohchr.org/en/about-us/funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/how-apply-annual-grant> (accessed January 12, 2023), para. 1; "About," UNODC, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_about.html; "UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation," UN Office for Disarmament Affairs (UNODA), undated, <https://www.un.org/disarmament/unscar/> (accessed January 12, 2023).

⁵² "CEB Approves Almost €2 Million to Help Refugees from Ukraine in Bulgaria, Estonia, Lithuania and the Republic of Moldova," *ReliefWeb*, [https://reliefweb.int/report/bulgaria/ceb-approves-almost-eu2-million-help-refugees-ukraine-bulgaria-estonia-lithuania-and-republic-moldova#:~:text=The%20Migrant%20and%20Refugee%20Fund,European%20Investment%20Bank%20\(EIB\);](https://reliefweb.int/report/bulgaria/ceb-approves-almost-eu2-million-help-refugees-ukraine-bulgaria-estonia-lithuania-and-republic-moldova#:~:text=The%20Migrant%20and%20Refugee%20Fund,European%20Investment%20Bank%20(EIB);) "UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation," UNODA, <https://www.un.org/disarmament/unscar/>.

⁵³ ICC Assembly of States Parties, "Regulation of the Trust Fund for Victims," ICC-ASP/4/Res.3, December 3, 2005, <https://trustfundforvictims.org/sites/default/files/imce/ICC-ASP-ASP4-Res-03-ENG.pdf> (accessed January 12, 2023), para. 42 ("The resources of the Trust Fund shall be for the benefit of victims of crimes within the jurisdiction of the Court... and where natural persons are concerned, their families"), para. 67 ("The Trust Fund may decide to use intermediaries to facilitate the disbursement of reparations awards, as necessary, where to do so would provide greater access to the beneficiary group and would not create any conflict of interest. Intermediaries may include interested States, intergovernmental organizations, as well as national or international non-governmental organizations working in close proximity with the beneficiary groups").

⁵⁴ "UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation," UNODA, <https://www.un.org/disarmament/unscar/> ("Governments wishing to receive assistance should work with an eligible applicant").

⁵⁵ "Frequently Asked Questions," UNPRPD MPTF, <https://www.unprpd.org/faq>.

by or in conjunction with UN agencies, international or regional organizations, civil society organizations, or other competent bodies.”⁵⁶ Therefore, the majority of funds examined for this report either make several entities eligible to receive funding or are designed with some flexibility to enable collaboration among both state and non-state actors.

Considering the various models presented by existing trust funds and the special needs of the TPNW’s positive obligations, a mixed-approach model would be the most effective design for the treaty’s fund. Such a model would permit both states parties and non-state actors, who can advance victim assistance and environmental remediation in different ways, to benefit from the fund’s support. States parties bear responsibility for designing and implementing national plans and may be more able to embark upon resource-intensive and longer-term programs. Civil society organizations, organizations representing victims, and other non-state entities may be better situated to understand and respond to the needs of affected communities and more equipped with the technical expertise and experience. Widening the pool of possible beneficiaries ensures that the fund’s decision-making body can evaluate the strongest array of proposals, presented by entities in the best position to deliver results successfully. The distinctive size, scope, and multidimensional nature of victim assistance and environmental remediation in the context of nuclear weapons use and testing warrants such a flexible approach.

What kinds of projects should be funded?

Applying the precedent of existing trust funds to the nuclear weapons context suggests that the TPNW trust fund should focus its grants on projects that support capacity building, victim assistance, and environmental remediation. In addition, the complexity and longevity of the harm that these projects seek to address make it important that the trust fund remain flexible regarding the size and length of its grants.

Existing trust funds finance three main categories of projects. First, some trust funds award grants to capacity-building programs, such as those that establish the framework for implementing a treaty, build expertise, or provide basic equipment. For example, the ATT Trust Fund supports the development of national action plans, the establishment of record keeping and reporting mechanisms, the organization of awareness-raising seminars and workshops, the training of security forces on preventing diversion of conventional arms, the creation of mobile disarmament units, and the purchase of trucks for the destruction of collected arms.⁵⁷ Another model is UNSCAR, whose supported activities include training courses and workshops, measures to contribute to multilateral processes, data collection, and the development of information platforms.⁵⁸ The Victims of Chemical Weapons Trust Fund invests in projects that involve the dissemination of information about the Support Network for Victims of Chemical

⁵⁶ ATT, “Voluntary Trust Fund: Information Brochure,” [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf), p. 3.

⁵⁷ See, e.g., “5th Voluntary Trust Fund Cycle (2021): Overview of Projects Approved for Funding,” ATT Secretariat, July 20, 2021, [https://thearmstradetreaty.org/hyper-images/file/List%20of%20approved%20project%20\(2021\)/List%20of%20approved%20project%20\(2021\).pdf](https://thearmstradetreaty.org/hyper-images/file/List%20of%20approved%20project%20(2021)/List%20of%20approved%20project%20(2021).pdf) (accessed January 11, 2023).

⁵⁸ See, e.g., “UNSCAR 2021 Call for Proposals,” March 11, 2022, <https://front.un-arm.org/wp-content/uploads/2022/03/Result-of-UNSCAR-2021-Call-for-Proposals-1.pdf> (accessed January 11, 2023).

Weapons, the publication of a guidebook for practitioners on managing chemical warfare casualties, and the organization of an international symposium on the medical treatment of chemical weapons victims.⁵⁹

Second, trust funds invest in programs that support the needs and rights of affected individuals. Their grants fund a wide range of projects that address physical and psychological health, promote socioeconomic inclusion, and advance human rights. The UN Victims of Torture Fund, for example, enables civil society organizations to deliver physical, psychological, social, legal, and other assistance to victims of torture.⁶⁰ The UN Victims of Trafficking Trust Fund funds programs that provide mental health, social integration, and legal services to survivors of human trafficking to promote recognition and fulfillment of their rights.⁶¹ The ICC Victims Trust Fund provides access to medical care to support physical and psychological rehabilitation, access to food security and nutritional support, access to education for dependents and provision of school equipment, access to housing for homeless victims, and assistance with income-generating activities and self-employment.⁶² Some of the areas funded by the UNPRPD Trust Fund include the delivery of "inclusive services and data collection systems," the adoption of "laws, policies, strategies, and regulations to advance the rights of persons with disabilities," the promotion of measures that improve social inclusion and address discrimination, and the implementation of training programs for "disability inclusion."⁶³ Finally, the CEB Migrant and Refugee Fund supports programs within CEB member states that, for example, set up, improve, and operate reception and transit centers, facilitate integration of migrants and refugees, and ensure the basic human rights of migrants and refugees, including to food, shelter, medical aid, and personal security.⁶⁴

Third, some trust funds finance programs that address hazardous materials, including remnants of war. For example, the UN Mine Action Trust Fund invests in projects that involve efforts to destroy or render safe mines, construct weapons and ammunition storage facilities, run risk

⁵⁹ See, e.g., Executive Council of the Organisation for the Prohibition of Chemical Weapons, "Report by the Director General: Status of the Implementation of the International Support Network for the Victims of Chemical Weapons," C-26/DG.14, September 21, 2021, <https://www.opcw.org/sites/default/files/documents/2021/09/ec98dg19%20c26dg14%28e%29.pdf> (accessed January 11, 2023).

⁶⁰ "About the Fund's Assistance for Victims of Torture," UN Office of the High Commissioner for Human Rights, [https://www.ohchr.org/en/about-us/ohchrs-funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/about-funds-assistance-victims-torture_\(accessed January 11, 2023\)](https://www.ohchr.org/en/about-us/ohchrs-funding-and-budget/trust-funds/united-nations-voluntary-fund-victims-torture/about-funds-assistance-victims-torture_(accessed%20January%2011,%202023)).

⁶¹ Trust Fund for Victims of Human Trafficking, UN Office on Drugs and Crime, "From Victim to Survivor: A Second Chance at Life," https://www.unodc.org/documents/human-trafficking/Publication/UNVTF_Brochure_Achievements_Web.pdf (accessed January 11, 2023), p. 8.

⁶² "TFV Strategic Plan 2020-2021," The Trust Fund for Victims, July 2020, <https://www.trustfundforvictims.org/sites/default/files/reports/TFV%20Strategic%20Plan%202020-2021.pdf> (accessed January 11, 2023).

⁶³ "Annual Narrative and Financial Report 2021," UNPRPD MPTF, <https://mptf.undp.org/sites/default/files/documents/UNPRPD%20Annual%20Consolidated%20Report%202021.pdf> (accessed January 11, 2023), p. 18.

⁶⁴ "Migrant and Refugee Fund (MRF): Frequently Asked Questions," Council of Europe Development Bank, 2016, <https://rm.coe.int/migrant-and-refugee-fund-mrf-frequently-asked-questions-/1680782392> (accessed January 11, 2023).

education programs, and provide rapid response and technical support interventions.⁶⁵ The IAEA PUI gives support to projects that research the peaceful application of nuclear materials in the areas of nuclear safety, security, and environmental protection, including projects related to radiation safety and security practices, the management of radioactive waste, and emergency preparedness and response.⁶⁶

Regardless of the type of project supported, existing trust funds have varied approaches regarding the size and duration of grants. Several trust funds have maximum implementation periods, ranging from one or two years to 10 years, depending on nature of the project being funded and its location.⁶⁷ Other funds, by contrast, impose no restrictions on the size or duration of grants, and may award multiyear grants.⁶⁸ Even where there exist restrictions on the length of grants, some trust funds allow for reasonable adjustments to be made by the fund management, on an individual case-by-case assessment, in case of extenuating circumstances or legitimate cause.⁶⁹

The TPNW trust fund should follow the lead of its predecessors and support proposals that can be divided into three categories. First, the TPNW trust fund should invest in capacity building programs that help ensure the treaty's positive obligations can be implemented sustainably and effectively. Grants in this area could, for example, facilitate development of national plans; trainings on relevant topics; workshops at which states, affected communities, international and nongovernmental organizations, and independent experts from different spheres share

⁶⁵ UNMAS, "UNMAS Annual Report 2020," https://unmas.org/sites/default/files/unmas_annual_report_2020.pdf (accessed January 11, 2023).

⁶⁶ "Informal Technical Briefing," IAEA Peaceful Uses Initiative, March 19, 2019, https://www.iaea.org/sites/default/files/19/06/ms_briefing_on_pui_19_march_2019.pdf (accessed January 11, 2023).

⁶⁷ ATT Secretariat, "ATT Voluntary Trust Fund Information Brochure," September 26, 2017, [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf) (accessed January 11, 2023); UN Voluntary Fund for Victims of Torture, "Guidelines for the Use of Applicants and Grantees," October 22, https://www.ohchr.org/sites/default/files/documents/about-us/grant/2023-01-05/Guidelines-UN-Torture-Fund2023_EN.pdf (accessed January 11, 2023), p. 9; UNODA, "United Nations Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR): 2022 Call for Proposals," <https://front.un-arm.org/wp-content/uploads/2022/11/UNSCAR-2022-Call-for-Proposals.pdf>, p. 4; Trust Fund for Victims of Human Trafficking, UN Office on Drugs and Crime, "United Nations Trust Fund for Victims of Human Trafficking: Guidelines for Grant Applicants," 2017, https://www.unodc.org/documents/human-trafficking/Human-Trafficking-Fund/2017CfP/Guidelines_-_UNVTF_Call_for_Proposals.pdf (accessed January 12, 2023), p. 3;

⁶⁸ "Migrant and Refugee Fund (MRF): Frequently Asked Questions," Council of Europe Development Bank, 2016, <https://rm.coe.int/migrant-and-refugee-fund-mrf-frequently-asked-questions-/1680782392> (accessed January 11, 2023); "Memorandum of Understanding between Participating UN Organizations and the UNDP Multi-Partner Trust Fund Office regarding the Operational Aspects of a UN Partnership to Promote the Rights of Persons with Disabilities (UNPRPD) Multi-Partner Trust Fund," November 2019, https://mptf.undp.org/sites/default/files/documents/35000/unprpd_mptf_mou_may_2021.pdf, November 2019, (accessed December 1, 2022), p. 3.

⁶⁹ UN Voluntary Fund for Victims of Torture, "Guidelines for the Use of Applicants and Grantees," October 2022, https://www.ohchr.org/sites/default/files/documents/about-us/grant/2023-01-05/Guidelines-UN-Torture-Fund2023_EN.pdf (accessed January 11, 2023), p. 9; "ATT Voluntary Trust Fund Information Brochure," ATT Secretariat, September 26, 2017, [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf) (accessed January 11, 2023).

experiences and perspectives; and the provision of key victim assistance or environmental remediation equipment. Second, the TPNW trust fund should support a range of projects that provide victim assistance to those affected by the use or testing of nuclear weapons. Grants could fund programs for victims that, *inter alia*, improve health care, create employment opportunities, provide access to education, or promote the recognition and implementation of cultural rights. Third, the TPNW trust fund should finance projects that support different stages of environmental remediation, such as the assessment of areas contaminated by nuclear weapons use or testing; the containment and treatment of radioactive materials; the removal and transport of waste; and the construction of safe long-term storage facilities. Risk education and measures to prevent exposure, such as marking and fencing and posting of warnings, are also important.

Given that victim assistance and environmental remediation are ongoing endeavors that can last decades or even hundreds of years, states should consider adopting flexible procedural requirements for these grants from the TPNW trust fund. Drawing on precedent from some existing trust funds, the TPNW trust fund could provide for multi-year grants, based on the scope of the project, along with opportunities for renewal or extension in the event of underutilized funds. There is a lack of precedent for continuously financing projects with long time horizons, however, so states parties may need to consider how to maintain support for expected multi-decade projects, including outside of the trust fund context.

What mechanisms should be used for reporting and accountability?

To guarantee that funds are being used responsibly, many trust funds impose reporting requirements and other accountability measures on grant recipients and/or fund managers. Obligating the recipients to report ensures that grantees are using donations in an appropriate manner consistent with the goals of the fund, while obligating fund managers to report guarantees that funds are being allocated in a timely manner to those most in need of assistance. The TPNW trust fund will only have lasting success if funds are used and allocated responsibly. For this reason, the fund should require reports from both the grantees and fund managers that are substantive yet non-burdensome, and transparent.

The ATT Trust Fund, UN Victims of Torture Fund, UNPRPD Trust Fund, and UNSCAR require grant recipients to report on progress at various intervals. For example, under the ATT Trust Fund, grant recipients must file interim reports accounting for progress and financial expenditures.⁷⁰ If the reports demonstrate either a lack of progress or inadequate progress, the fund managers can choose to withhold further grant transfers.⁷¹ Within 60 days of the close of the project, recipients must also submit a final report to be made publicly available on the completion of the financed activity under the ATT Trust Fund.⁷² The UN Victims of Torture Fund asks some organizations to report within six months of implementation, while requiring all recipients to submit a final report at the end of the year that covers their substantive work and

⁷⁰ Arms Trade Treaty Voluntary Trust Fund, “Voluntary Trust Fund Administrative Rules,” November 15, 2016, amended September 2018, [https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20\(Rev1\)%20-%20Sept%202018/VTF%20Administrative%20Rules%20\(Rev1\)%20-%20Sept%202018.pdf](https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20(Rev1)%20-%20Sept%202018/VTF%20Administrative%20Rules%20(Rev1)%20-%20Sept%202018.pdf) (accessed November 28, 2022), p. 10.

⁷¹ *Ibid.*

⁷² *Ibid.*

financial accounting for the year.⁷³ As with the ATT Trust Fund, if the secretariat of the UN Victims of Torture Fund believes that a project has been mismanaged, it can withhold grants or ask an organization to refund a grant.⁷⁴ The UNPRPD Trust Fund requires that partner organizations responsible for implementing programs report on their progress by submitting annual reports to the fund's administrative agent.⁷⁵ Finally, UNSCAR notes that "rigorous monitoring and evaluation of projects is an inherent part of the UNSCAR approach," but does not provide specific details on reporting requirements.⁷⁶ UNSCAR, however, evaluates project management in the application stage by demanding that applicants "demonstrate adequate internal control mechanisms for project management, monitoring, evaluation and auditing."⁷⁷

The ATT, UN Victims of Torture, and UN Victims of Trafficking Trust Funds also permit site visits to ensure accountability. The ATT Trust Fund conducts on-site monitoring visits and allows monitoring by third-party stakeholders.⁷⁸ Under the UN Victims of Torture Fund, members of the board of trustees and/or UN staff conduct on-site visits to evaluate projects.⁷⁹ The UN Victims of Trafficking Trust Fund recently increased its monitoring activities during the Covid-19 pandemic by conducting 15 virtual monitoring visits in 2021.⁸⁰

Numerous trust funds, such as the Victims of Chemical Weapons Trust Fund, IAEA PUI, ICC Victims Trust Fund, and UN Mine Action Trust Fund require those in control of the fund to report on how donations are used and allocated. The Conference of the States Parties to the Chemical Weapons Convention (CWC) requires the OPCW director general to report to the conference every two years on the implementation status of the trust fund and aspects of the fund's decision-making process.⁸¹ The IAEA PUI includes information on specific projects and

⁷³ UN Voluntary Fund for Victims of Torture, "Guidelines for the Use of Applicants and Grantees," October 22, https://www.ohchr.org/sites/default/files/documents/about-us/grant/2023-01-05/Guidelines-UN-Torture-Fund2023_EN.pdf (accessed November 28, 2022), p. 19.

⁷⁴ *Ibid.*, p. 22.

⁷⁵ "Memorandum of Understanding between Participating UN Organizations and the UNDP Multi-Partner Trust Fund Office regarding the Operational Aspects of a UN Partnership to promote the Rights of Persons with Disabilities (UNPRPD) Multi-Partner Trust Fund," November 2019, https://mptf.undp.org/sites/default/files/documents/35000/unprpd_mptf_mou_may_2021.pdf, November 2019, (accessed December 1, 2022), p. 8.

⁷⁶ UNSCAR, "UNSCAR 2018 Call for Proposals: Instructions for Applicants," <https://www.un.org/disarmament/wp-content/uploads/2018/06/2018-06-18-Flyer-UNSCAR-side-event-during-RevCon-3.pdf> (accessed November 28, 2022), p. 2.

⁷⁷ UNSCAR, "2018 Call for Proposals," <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2018/06/UNSCAR-2018-Call-for-Proposals.pdf> (accessed November 28, 2022), p. 4.

⁷⁸ Arms Trade Treaty Voluntary Trust Fund, "Voluntary Trust Fund Administrative Rules," November 15, 2016, amended September 2018, [https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20\(Rev1\)%20-%20Sept%202018/VTF%20Administrative%20Rules%20\(Rev1\)%20-%20Sept%202018.pdf](https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20(Rev1)%20-%20Sept%202018/VTF%20Administrative%20Rules%20(Rev1)%20-%20Sept%202018.pdf) (accessed November 28, 2022), p. 13.

⁷⁹ "United Nations Voluntary Fund for Victims of Torture—Report of the Secretary-General," A/75/316, August 18, 2020, <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/75/316&Lang=E> (accessed November 28, 2022), p. 6.

⁸⁰ "United Nations Trust Fund for Victims of Human Trafficking, 2021 Annual Report," <https://www.unodc.org/documents/human-trafficking/Human-Trafficking-Fund/UNVTF-AR2021-WEB.pdf> (accessed November 28, 2022), p. 8.

⁸¹ Conference of the States Parties to the Organisation on the Prohibition of Chemical Weapons, "The Establishment of the International Support Network for Victims of Chemical Weapons and the Establishment of a Voluntary Trust

activities in the annex of the IAEA's financial statements.⁸² Under the ICC Victims Trust Fund, the fund must report on the use of donations and the implementation of programs to its donors, the Assembly of States Parties, and the competent Chamber.⁸³ The UN Mine Action Trust Fund likewise requires that reports on income and expenditures be sent to donors.⁸⁴ The fund's Accounts Division also publishes audited financial statements on an annual basis.⁸⁵

In order to promote accountability, the TPNW trust fund should require managers and recipients to report in a transparent manner on how funds are being allocated and spent, respectively. Establishing a publicly accessible reporting mechanism is particularly important given that Action 25 of the Vienna Action Plan stipulates that victim assistance, environmental remediation, and international cooperation and assistance should be conducted "in accordance ... with the principles of ... accessibility ... and transparency."⁸⁶ Building on precedent from existing trust funds, the TPNW should require grantees to submit regular reports, be subject to site visits, and understand that funds may be withheld if used inappropriately. Similarly, fund managers should be required to submit regular, publicly accessible reports detailing how funds are allocated and on what basis. Action 28 of the Vienna Action Plan stresses that reporting on the implementation of Articles 6 and 7 of the TPNW should be non-burdensome.⁸⁷ Drawing on this principle, the trust fund reporting and accountability requirements should aim to limit the burden on fund managers and recipients by setting clear guidelines and only requiring information necessary to guarantee the appropriate use of funds.

Conclusion

This report makes recommendations for fundamental design elements of a trust fund established under the TPNW. IHRC conducted a comparative analysis of 10 international trust funds and developed recommendations grounded in that precedent. At the same time, it kept in mind the TPNW's humanitarian purpose as well as the challenges of victim assistance and environmental remediation in the nuclear weapons context, and adapted its proposals to take these considerations into account.

In sum, IHRC recommends that a TPNW trust fund should be structured in accordance with the following five design elements. First, the trust fund should accept contributions from the widest range of actors possible, including states parties, states not party, international organizations, NGOs, the private sector, and individuals. Second, decisions about the distribution of funds should be made by a board or committee, diverse in geography and gender, comprised of

Fund for this Purpose," C-16/DEC.12, December 2, 2011.
https://www.opcw.org/sites/default/files/documents/CSP/C-16/en/c16dec13_e_.pdf (accessed January 11, 2023), p. 3.

⁸² International Atomic Energy Agency, "The Agency's Financial Statements for 2021," July 2022, <https://www.iaea.org/sites/default/files/gc/gc66-3.pdf> (accessed November 28, 2022).

⁸³ The Trust Fund for Victims, "TFV Strategic Plan 2020-2021," July 2020, <https://www.trustfundforvictims.org/sites/default/files/reports/TFV%20Strategic%20Plan%202020-2021.pdf> (accessed November 28, 2022), p. 8

⁸⁴ "The United Nations Voluntary Trust Fund for Assistance in Mine Action," https://mineaction.org/sites/default/files/documents/vtf_spread_for_e-mine.pdf (accessed November 28, 2022).

⁸⁵ Ibid.

⁸⁶ Vienna Action Plan, p. 14.

⁸⁷ Ibid., p. 15.

representatives from states parties, representatives of affected communities (including indigenous peoples), and independent experts. Third, given the fund's limited resources early on, states parties could decide to initially prioritize funding to states parties and civil society organizations with projects in states parties, and consider expanding its grants to a wider range of recipients in the future in order to maximize the fund's humanitarian impact. Fourth, a trust fund should support three categories of projects—capacity-building projects, victim assistance projects, and environmental remediation projects—and remain flexible about the size and length of grants. Lastly, the trust fund should put in place transparent and non-burdensome reporting requirements for fund managers and grantees to ensure accountable usage of its financial resources. These recommendations were designed with the preliminary nature of the trust fund discussions in mind and thus cover only the basic structural building blocks of a potential fund.

Because the trust fund remains in the early stages of the development process, a number of other more detailed issues will need to be resolved by states over time. States parties will need to make decisions about operational elements of the fund, such as processes for the collection and evaluation of grant applications. The application process should be as non-burdensome as possible, given the limited resources of affected states and organizations working in those states. A clear set of criteria, developed in consultation with affected communities, should inform application requirements and the assessment of grant proposals. The trust fund may further consider whether to allow donors to put conditions on the use of their contributions, how to strike a balance between the funding of victim assistance and environmental remediation programs, and whether to provide a mechanism for applicants to challenge distribution decisions.

States parties will in addition need to make decisions about the administration of the trust fund. Some administrative elements are addressed in this report, but many remain beyond its scope. For example, states parties will need to consider the relationship between the board making decisions about grant distributions and a supporting administrative body, such as a secretariat established either on an ad hoc basis or within the United Nations. States parties will also need to think about funding mechanisms to support board members in the course of their official duties, as well as the costs associated with the potential use of a secretariat.

These questions and others may be resolved over time after states make fundamental decisions about the basic structural elements of a trust fund. IHRC aims to contribute to the progress of the positive obligations working group through the comparative analysis in this report, but the success of the trust fund will ultimately depend on the initiative of states parties, in partnership with affected communities, civil society groups, and international organizations. Continued discussion and active involvement by a wide range of actors in the design of the trust fund will help ensure its long-term credibility and utility in service of the humanitarian objectives of the TPNW.

Appendix A: Trust Funds Examined

Arms Trade Treaty Voluntary Trust Fund (ATT Trust Fund)

Established in 2016, under Article 16(3) of the Arms Trade Treaty (ATT), the Voluntary Trust Fund assists states parties with implementation of the ATT.

Council of Europe Development Bank Migrant and Refugee Fund (CEB Migrant and Refugee Fund)

The Council of Europe Development Bank (CEB) established the fund in in 2015 to provide financial assistance to member states to support the accommodation and integration of migrants and refugees.

International Atomic Energy Agency Peaceful Uses Initiative (IAEA PUI)

Launched in 2010 by the International Atomic Energy Agency (IAEA), the Peaceful Uses Initiative uses extrabudgetary contributions from member states to support research and development programs that utilize peaceful applications of nuclear technology.

International Criminal Court Trust Fund for Victims (ICC Victims Trust Fund)

The Trust Fund for Victims, established by the Assembly of States Parties to the Rome Statute in 2002, provides reparations and assistance to victims of crimes under the jurisdiction of the International Criminal Court (ICC).

Trust Fund of the International Support Network for Victims of Chemical Weapons (Victims of Chemical Weapons Trust Fund)

In 2011, states parties to the Chemical Weapons Convention (CWC) established a trust fund to support the International Support Network for Victims of Chemical Weapons, which raises awareness of the history of chemical weapons use and develops resources for the treatment of victims.

UN Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD Trust Fund)

The UNPRPD Trust Fund, established in 2011 by subset of members of the UN Inter-Agency Support Group for the Convention on the Rights of Persons with Disabilities (CRPD), supports implementation of the CRPD and funds programs to empower and provide resources to people with disabilities.

UN Trust Fund Facility Supporting Cooperation on Arms Regulation (UNSCAR)

Launched by the UN Office of Disarmament Affairs in 2013, UNSCAR seeks to provide funding to programs that facilitate implementation of international instruments on arms regulations.

UN Voluntary Fund for Victims of Torture (UN Victims of Torture Fund)

The UN General Assembly established this trust fund in 1981 to facilitate financial support for programs that provide direct services and assistance to victim of torture.

UN Voluntary Trust Fund for Assistance in Mine Action (UN Mine Action Trust Fund)

Established by the UN General Assembly in 1994 and referenced by the Mine Ban Treaty as a mechanism for providing assistance to mine clearance activities, the Voluntary Trust Fund provides support to programs that address the risks of mines and other explosive remnants of war.

UN Voluntary Trust Fund for Victims of Trafficking in Persons (UN Victims of Trafficking Trust Fund)

The UN General Assembly created the trust fund in 2013 to provide financial support to NGOs that protect and assist victims of trafficking in persons.

Appendix B: Trust Fund Comparison

	Arms Trade Treaty (ATT) Voluntary Trust Fund	Council of Europe Development Bank (CEB) Migrant and Refugee Fund	International Atomic Energy Agency (IAEA) Peaceful Uses Initiative	International Criminal Court (ICC) Trust Fund for Victims	Trust Fund of the International Support Network for Victims of Chemical Weapons (Victims of Chemical Weapons Trust Fund)	UN Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD)	UN Trust Fund Facility Supporting Cooperation on Arms Regulation (UN-SCAR)	UN Voluntary Fund for Victims of Torture	UN Voluntary Trust Fund for Assistance in Mine Action	UN Voluntary Trust Fund for Victims of Trafficking in Persons
What is the fund's origin?	<ul style="list-style-type: none"> ▪ Art. 16(3) of the ATT ▪ Established in 2016 	<ul style="list-style-type: none"> ▪ CEB ▪ Established in 2015 	<ul style="list-style-type: none"> ▪ IAEA ▪ Established in 2010 	<ul style="list-style-type: none"> ▪ Art. 79 of the Rome Statute of the ICC ▪ Created in 2002 by the Assembly of States Parties 	<ul style="list-style-type: none"> ▪ Conference of the States Parties to the Chemical Weapons Convention (CWC) ▪ Established in 2011 	<ul style="list-style-type: none"> ▪ Subset of members of the UN Inter-Agency Support Group for the Convention on the Rights of Persons with Disabilities (CRPD) ▪ Established in 2011 	<ul style="list-style-type: none"> ▪ UN Office for Disarmament Affairs ▪ Launched in 2013 	<ul style="list-style-type: none"> ▪ UN General Assembly Res. 36/151 ▪ Established in 1981 	<ul style="list-style-type: none"> ▪ UN General Assembly Res. A/Res/49/215 ▪ Established in 1994 	<ul style="list-style-type: none"> ▪ UN General Assembly Res. 64/293 ▪ Established in 2010ⁱ
Who is eligible to contribute to the fund?	<ul style="list-style-type: none"> ▪ All states ▪ Private sector 	<ul style="list-style-type: none"> ▪ CEB member states ▪ CEB ▪ European Investment Bank 	<ul style="list-style-type: none"> ▪ IAEA member states ▪ Private sector ▪ International organizations 	<ul style="list-style-type: none"> ▪ ICC states parties ▪ Private donors, including corporations and individuals 	<ul style="list-style-type: none"> ▪ States partiesⁱⁱ 	<ul style="list-style-type: none"> ▪ All states ▪ Aid agencies ▪ Private sector 	<ul style="list-style-type: none"> ▪ All states ▪ Private sector 	<ul style="list-style-type: none"> ▪ All states ▪ Private entities ▪ Individuals 	<ul style="list-style-type: none"> ▪ All states ▪ Organizations ▪ Individuals 	<ul style="list-style-type: none"> ▪ All states ▪ Intergovernmental organizations ▪ NGOs ▪ Private sector ▪ Individuals
Who makes distribution decisions?	<ul style="list-style-type: none"> ▪ Selection Committee ▪ Comprised of 15 states parties, appointed by Conference of States Parties to the ATT for two-year terms ▪ Committee includes donors and non-donors to “ensure diverse representation”ⁱⁱⁱ 	<ul style="list-style-type: none"> ▪ CEB, which appraises requests for support and awards funds 	<ul style="list-style-type: none"> ▪ IAEA ▪ The IAEA compiles “thematic packages” for PUI funding toward which donors pledge some contributions 	<ul style="list-style-type: none"> ▪ Board of Directors ▪ Comprised of five members elected by the Assembly of States Parties for three-year terms ▪ Seats distributed by major world regions ▪ Members serve in an individual capacity on a pro bono basis 	<ul style="list-style-type: none"> ▪ Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (OPCW) 	<ul style="list-style-type: none"> ▪ Management Committee ▪ Comprised of representatives of nine Participating UN Organizations (PUNOs)^{iv}; three donor countries; representative of International Disability Alliance (IDA); representative of the International Disability and Development Consortium (IDDC) 	<ul style="list-style-type: none"> ▪ Strategic Planning Group ▪ Comprised of donor countries 	<ul style="list-style-type: none"> ▪ Board of Trustees, which makes recommendations to the UN High Commissioner for Human Rights, based on initial screening by the fund's Secretariat ▪ Comprised of five members appointed by the UN secretary-general for three-year terms ▪ Seats distributed by major world regions ▪ Board members have expertise in human rights, in particular torture and its effects 	<ul style="list-style-type: none"> ▪ UN Office for Project Services, informed by in-country UN Mine Action Service (UN-MAS) technical experts 	<ul style="list-style-type: none"> ▪ Board of Trustees ▪ Comprised of five members appointed by the UN secretary-general for three-year terms ▪ Seats distributed with “due regard to geographical representation”^v ▪ Members have experience in the field of trafficking in persons

	ATT Voluntary Trust Fund	CEB Migrant and Refugee Fund	IAEA Peaceful Uses Initiative	ICC Trust Fund for Victims	Victims of Chemical Weapons Trust Fund	UNPRPD	UNSCAR	UN Voluntary Fund for Victims of Torture	UN Voluntary Trust Fund for Assistance in Mine Action	UN Voluntary Trust Fund for Victims of Trafficking in Persons
Who is eligible to receive funds?	<ul style="list-style-type: none"> ▪ States parties ▪ States showing “clear and unambiguous commitment to accede to the ATT”^{vi} ▪ UN agencies, international or regional organizations, civil society organizations, or other competent bodies may serve as implementing partners but not fund grantees 	<ul style="list-style-type: none"> ▪ CEB member states ▪ International institutions ▪ NGOs 	<ul style="list-style-type: none"> ▪ Member states, through projects implemented by the IAEA Department of Technical Cooperation 	<ul style="list-style-type: none"> ▪ Victims of crimes within the jurisdiction of the ICC and their families ▪ States, inter-governmental organizations, or NGOS “working in close proximity with the beneficiary groups” may facilitate disbursement of reparations awards^{vii} 	<ul style="list-style-type: none"> ▪ [Additional information required] 	<ul style="list-style-type: none"> ▪ PUNOs ▪ PUNOs must develop proposals jointly with national governments and organizations of persons with disabilities 	<ul style="list-style-type: none"> ▪ UN partners ▪ International or regional organizations ▪ Civil society organizations ▪ Research institutes 	<ul style="list-style-type: none"> ▪ Civil society organizations 	<ul style="list-style-type: none"> ▪ UNMAS ▪ NGOs ▪ Commercial mine action organizations ▪ Recipients can work with implementing partners 	<ul style="list-style-type: none"> ▪ Non-profit organizations registered on or before July 1, 2020, within the countries where they will undertake their proposed projects and with at least two years of experience implementing projects that assist victims of trafficking
What kinds of projects are funded?	Funded activities include awareness raising seminars, workshops, establishment of mobile disarmament units, development of national action plans, trucks for the destruction of collected arms, training for security forces on preventing and detecting diversion of conventional arms, security upgrades, and installation of record keeping and reporting mechanisms.	Funded activities include projects that set up, improve, and operate reception and transit centers, facilitate integration of migrants and refugees, and ensure the basic human rights of migrants and refugees, including food, shelter, medical aid, and personal security.	Funded activities fall into four main categories: regional technical cooperation projects, nuclear applications projects, nuclear energy projects, and nuclear safety projects. Projects have contributed to many issues, including enhancement of food security, development and strengthening of nuclear energy infrastructure, and mitigation and adaptation efforts related to climate change.	Funded activities include physical rehabilitation programs, psychological rehabilitation programs, and material support programs that provide reparative value for the physical, psychological, economic, and social harm suffered by victims of crimes that fall within the ICC’s jurisdiction.	Funded activities include a webpage dedicated to providing information about the Support Network for Victims of Chemical Weapons, the development of guidebooks on the medical treatment of chemical warfare casualties, and a 2018 symposium on the topic.	Funded activities include the delivery of “inclusive services and data collection systems,” the adoption of “laws, policies, strategies, and regulations to advance the rights of persons with disabilities,” the promotion of measures that improve social inclusion and address discrimination, and the implementation of training programs for “disability inclusion.” ^{viii}	Funded activities include capacity building (training courses, workshops), contributions to ongoing multilateral processes, support to national processes (ratification/accession), implementation tools and guidelines, data collection, and information platforms/databases/e-learning.	The fund can award three types of grants: direct assistance, capacity building, and emergency. Direct assistance programs include medical assistance (e.g., the cost of doctors’ fees, laboratory tests, and medical clinics), psychological assistance (e.g., individual or group therapy, psychoanalytical, behavioral, and occupational approaches), social assistance (e.g., housing, clothing, education, vocational training), and legal assistance (e.g., lawyer and court fees, investigative costs).	Funded activities include efforts to destroy or render safe mines; clear land and roads; construct weapons and ammunition storage; provide risk education; assist victims; train health care workers, law enforcement, teachers, and national authorities; and provide rapid response and technical support interventions.	Funded activities include those “activities and services that both enhance the psychological recovery and social reintegration of victims and empower survivors to reclaim their rights to justice and fair compensation, as part of the global fight against trafficking. This includes through the identification of victims, legal, prosecution assistance, coordination and information sharing across relevant actors.” ^{ix}

	ATT Voluntary Trust Fund	CEB Migrant and Refugee Fund	IAEA Peaceful Uses Initiative	ICC Trust Fund for Victims	Victims of Chemical Weapons Trust Fund	UNPRPD	UNSCAR	UN Voluntary Fund for Victims of Torture	UN Voluntary Trust Fund for Assistance in Mine Action	UN Voluntary Trust Fund for Victims of Trafficking in Persons
What are the criteria for grant decisions?	Applications must comply with administrative requirements and eligibility criteria (e.g., timeliness, format, and budget) as well as meet the fund's qualitative standards for projected "objectives, output, and outcomes." ^x	Projects should benefit migrants and refugees and should seek funding for either investment and operating costs or technical assistance related to the implementation of the project.	[Additional information required.]	Assistance grants must directly address harm caused by a conflict and target the "most vulnerable and marginalized victims of crimes within ICC jurisdiction," as determined by field assessments. Projects must emphasize victim participation in planning, sustainability, transparency, accessibility, special vulnerability of women and girls, capacity-building, and coordination. ^{xi}	States parties instructed the Secretariat when establishing the fund that it should "support the International Support Network for Victims of Chemical Weapons," but did not provide additional criteria for project selection. ^{xii}	Grants aimed at advancing implementation of the CRPD "prioritize[e] low- and middle-income countries." ^{xiii}	Submitted project proposals must be compatible with the objectives of UNSCAR, consistent with the application requirements, and consistent with a thematic priority identified in the call for proposals. They should preferably account for gender consideration.	Projects must exclusively benefit victims of torture and/or their relatives, and "assistance provided with the Fund's grants should be linked to the consequences of torture." The fund selects projects that have a "clear victim-centered focus and gender-sensitive approach." ^{xiv}	The fundamental criterion is to provide resources for UN mine action where other sources are not available.	The fund prioritizes programs that emphasize a variety of factors: "providing access to justice, legal advice and assistance, including for victims to claim access to remedies, including compensation or similar aid packages from national governments, and to act as witnesses in court cases against their traffickers." ^{xv} It provides funding to projects consistent with its purpose, which is to "prevent trafficking in persons, and to reduce the vulnerability of victims being discriminated, re-victimized and re-trafficked." ^{xvi}
Are there restrictions on the size and length of grants?	Grants have a default cap of \$100,000, which may be adjusted on an annual basis. Grants should be implemented in one year or less. Some exceptions are permitted to these restrictions.	No minimum or maximum size of grants.	[Additional information required.]	The fund issues large and small grants, and no apparent caps exist in the documents that form the legal basis for the fund.	[Additional information required.]	Many grants continue across multiple years, and there are no clear restrictions on grant size or length.	Grants are capped at \$100,000 or \$150,000 depending on the type of project and should be implemented in one year or less.	Grants have an implementation period of 12 months. Direct assistance grants in the same country can be awarded on a yearly basis for a maximum of 10 consecutive years and may extend beyond 10 years on an exceptional basis. Generally, the requested amount should not exceed one third of the project's budget.	Multi-year, multimillion dollar contracts are possible.	Multi-year grants are awarded in three-year cycles. All funded programs must be implemented within 24 months.

	ATT Voluntary Trust Fund	CEB Migrant and Refugee Fund	IAEA Peaceful Uses Initiative	ICC Trust Fund for Victims	Victims of Chemical Weapons Trust Fund	UNPRPD	UNSCAR	UN Voluntary Fund for Victims of Torture	UN Voluntary Trust Fund for Assistance in Mine Action	UN Voluntary Trust Fund for Victims of Trafficking in Persons
What are the fund's reporting and accountability and mechanisms?	Grant recipients file interim report(s) accounting for project activity progress and financial expenditures. Grant recipients also submit a publicly available final report with outcomes, achievements, impacts, possible shortcomings, recommendations, and a detailed financial accounting.	[Additional information required.]	The IAEA records PUI contributions and disbursements in its annual financial statements.	The fund's Board of Directors is required to submit an annual report on the fund's activities, including any proposed budget for the Secretariat and financial statements, to the Committee on Budget and Finance, the External Auditor, and the Assembly of States Parties.	The director general of OPCW reports every two years, through the Executive Council, to the Conference of the States Parties on the implementation status of the trust fund.	PUNOs must provide annual financial and narrative progress reports as well as a final certified financial statement and narrative report. The fund must also report on its activities to donors and the Policy Board, including annual and final financial reports.	The fund states that rigorous monitoring and evaluation of projects is inherent to its approach. It evaluates when applicants "demonstrate adequate internal control mechanisms for project management, monitoring, evaluation and auditing" and requires non-UN applicants to include a budget line for external auditing. ^{vii}	Organizations are required to submit a progress report after six months and a final report at the end of the year, which includes information about the results of the project, the victims assisted, and a financial accounting.	The UN Secretariat Accounts Divisions publishes annual audited financial statements of the fund's income and expenditures. This information is also reflected in UNMAS Annual Reports together with programmatic achievements. The fund is also subject to UN internal and external audit mechanisms.	The fund releases an annual report, which includes descriptions of the fund's activities, supported projects, and outcomes, as well as a certified financial report for the year as an annex.
Who administers the fund?	ATT Secretariat	CEB	IAEA	Secretariat established by the Assembly of States Parties	OPCW Technical Secretariat	UN Development Program Multi-Partner Trust Fund Office	UN Office for Disarmament Affairs (UNODA), assisted by Strategic Planning Group	UN High Commissioner for Human Rights, assisted by Board of Trustees with Fund Secretariat	Director of the United Nations Mine Action Service (UNMAS) in the Department of Peace Operations	UN Office on Drugs and Crime (UNODC)

ⁱ The UN Victims of Trafficking Trust Fund was created as part of the UN Global Plan of Action to Combat Trafficking in Persons, aligned with the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime.

ⁱⁱ The establishing document of the Victims of Chemical Weapons Trust Fund formally invites states parties to contribute to the fund. At least one individual, however, has contributed by awarding their OPCW–The Hague Award cash prize to the fund.

ⁱⁱⁱ Arms Trade Treaty Secretariat, "Voluntary Trust Fund: Information Brochure," September 26, 2017, [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf) (accessed January 12, 2023).

^{iv} The UNPRPD Participating UN Organizations (PUNOs) lead on the programmatic aspects on the UNPRPD's operations and include the International Labor Organization (ILO), Office of the UN High Commissioner for Human Rights (OHCHR), UN Department of Economic and Social Affairs (UN DESA), UN Development Program (UNDP), UN Educational, Scientific, and Cultural Organization (UNESCO), UN Population Fund (UNFPA), UN Children's Fund (UNICEF), UN Women, and the World Health Organization (WHO).

^v "About: The Board of Trustees of the United Nations Voluntary Trust Fund," UN Office on Drugs and Crime, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_about.html (accessed January 12, 2023).

^{vi} ATT Secretariat, "Information Brochure," [https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\)/VOLUNTARY%20TRUST%20FUND%20Brochure%20\(final\)\(26.09.17\).pdf](https://thearmstradetreaty.org/hyper-images/file/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17)/VOLUNTARY%20TRUST%20FUND%20Brochure%20(final)(26.09.17).pdf) (accessed January 12, 2023).

^{vii} ICC Assembly of States Parties, “Regulations of the Trust Fund for Victims,” ICC-ASP/4/Res.3, December 3, 2005, <https://trustfundforvictims.org/sites/default/files/imce/ICC-ASP-ASP4-Res-03-ENG.pdf> (accessed January 12, 2023), para. 67.

^{viii} United Nations Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD Trust Fund), “Annual Narrative and Financial Report 2021,” <https://mptf.undp.org/sites/default/files/documents/UNPRPD%20Annual%20Consolidated%20Report%202021.pdf> (accessed January 11, 2023), p. 18.

^{ix} UN Office on Drugs and Crime, Trust Fund for Victims of Human Trafficking, “From Victim to Survivor: A Second Chance at Life,” https://www.unodc.org/documents/human-trafficking/Publication/UNVTF_Brochure_Achievements_Web.pdf (accessed January 11, 2023), p. 8.

^x Arms Trade Treaty Secretariat, “Voluntary Trust Fund: Administrative Rules,” November 15, 2016, [https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20\(Rev1\)%20-%20Sept%202018/VTF%20Administrative%20Rules%20\(Rev1\)%20-%20Sept%202018.pdf](https://thearmstradetreaty.org/hyper-images/file/VTF%20Administrative%20Rules%20(Rev1)%20-%20Sept%202018/VTF%20Administrative%20Rules%20(Rev1)%20-%20Sept%202018.pdf) (accessed January 12, 2023), p. 9.

^{xi} International Criminal Court, “Trust Fund for Victims (TFV) Background Summary,” August 2008, https://www.icc-cpi.int/sites/default/files/NR/rdonlyres/E582AE21-D718-4798-97ED-C6C9F0D9B42D/0/TFV_Background_Summary_Eng.pdf (accessed January 12, 2023), p. 3.

^{xii} Conference of the States Parties to the Organization on the Prohibition of Chemical Weapons, “The Establishment of the International Support Network for Victims of Chemical Weapons and the Establishment of a Voluntary Trust Fund for this Purpose,” C-16/DEC.12, December 2, 2011, https://www.opcw.org/sites/default/files/documents/CSP/C-16/en/c16dec13_e_.pdf (accessed January 11, 2023), p. 3.

^{xiii} UNPRPD Trust Fund, “Annual Narrative and Financial Report 2021,” <https://mptf.undp.org/sites/default/files/documents/UNPRPD%20Annual%20Consolidated%20Report%202021.pdf>, p. 15.

^{xiv} United Nations Voluntary Fund for Victims of Torture, “Guidelines for the Use of Applicants and Grantees,” October 2022, https://www.ohchr.org/sites/default/files/documents/about-us/grant/2023-01-05/Guidelines-UN-Torture-Fund2023_EN.pdf (accessed January 11, 2023), p. 4-5.

^{xv} United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, UN Office on Drugs and Crime, “United Nations Voluntary Trust Fund for Victims of Trafficking in Persons: Basic Facts,” December 2017, https://www.unodc.org/pdf/human_trafficking/UN_Victims_Trust_Fund_Basic_Facts_Dec2017.pdf (accessed January 12, 2023).

^{xvi} Ibid.

^{xvii} United Nations Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), “2018 Call for Proposals,” <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2018/06/UNSCAR-2018-Call-for-Proposals.pdf> (accessed November 28, 2022), p. 4.