

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/12-01/15

Date of the original: 29

April 2026

Date of the public redacted
version: **29 July 2026**

TRIAL CHAMBER II

Before: Judge María del Socorro Flores Liera, Presiding Judge
Judge Kimberly Prost
Judge Nicolas Guillou

SITUATION IN THE REPUBLIC OF MALI

IN THE CASE OF THE PROSECUTOR v. AHMAD AL FAQI AL MAHDI

Public Document

**Public redacted version of Thirty-ninth Update Report on the Updated
Implementation Plan, with confidential Annexes A and B**

Source: Trust Fund for Victims

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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| ☐ Legal Representatives of the Victims | ☐ Legal Representatives of the Applicants |
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I. BACKGROUND

1. The Trust Fund for Victims (TFV) hereby submits its Thirty-ninth Update Report pursuant to Regulation 58 of the Regulations of the Trust Fund for Victims and following Trial Chamber VIII's decision of 4 March 2019 approving the Updated Implementation Plan ("Decision on the UIP") submitted by the TFV,¹ and the Decision on the Request of the Trust Fund for Victims to Submit Update Reports Every Three Months.² On 29 January 2026, the TFV submitted its Thirty-eighth Update Report on implementation ("Thirty-eighth Update Report").³

2. The present report covers the period from 30 January 2026 to 29 April 2026 and is structured as follows. The TFV report first addresses the overall status of implementation (Part III), followed by the status of collective reparations (Part IV), supportive activities conducted during the reporting period (Part V), and, lastly, activities related to the handover of the collective reparations programme to the community of Timbuktu (Part VI).

3. In the confidential Annex A to this report, the Registry's situational overview concerning Mali covering the period from 20 January to 28 April 2026 (Country Analysis Unit Report) has been included for information of the Trial Chamber.

II. CLASSIFICATION OF THE REPORT

4. Pursuant to regulation 23 *bis* (1) of the Regulations of the Court, the TFV has classified the present report and the annexes to this report as confidential, as they contain sensitive information related to the current situation in Mali, the public disclosure of which could jeopardise the proper and secure continuation of the TFV's activities in Mali. A public redacted version of the present report will be submitted in due course.

III. OVERALL STATUS OF IMPLEMENTATION

5. The TFV respectfully informs the Trial Chamber that the implementation of all modalities of reparations has been concluded, namely, the symbolic and the individual

¹ Decision on the Updated Implementation Plan from the Trust Fund for Victims, 4 March 2019, ICC-01/12-01/15-324-Conf ("Decision on the UIP"). A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/1c2525/>.

² Decision on the Request of the Trust Fund for Victims to Submit Update Reports Every Three Months, 17 February 2021, [ICC-01/12-01/15-380](https://www.legal-tools.org/doc/1c2525/), disposition.

³ Thirty-eighth Update Report on the Updated Implementation Plan, with confidential Annexes A, B and C, 29 January 2026, ICC-01/12-01/15-485-Conf ("Thirty-eighth Update Report"). A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/ygo33lou/>.

reparation modalities, completed respectively in March 2021⁴ and June 2024,⁵ as well as the collective reparation modality, completed as of 31 March 2026.

IV. COLLECTIVE REPARATIONS

6. The collective reparations ordered by the Trial Chamber for the benefit of the community of Timbuktu were organised around three modalities: (i) collective reparations for the moral harm suffered; (ii) collective reparations for the economic harm suffered; and (iii) collective reparations in the form of a mechanism for the protection and maintenance of the Protected Buildings.

7. As reported in the previous Update Report, collective reparations for moral harm suffered by the Timbuktu community were completed by 31 December 2025.⁶ In line with its schedule, during the present reporting period, the TFV has finalised the implementation of (ii) collective reparations for the economic harm suffered by the community of Timbuktu in the context of the Economic Resilience Facility (ERF) framework,⁷ as well as the (iii) collective reparations for the protection and maintenance of the Protected Buildings.⁸

A. COLLECTIVE REPARATIONS FOR ECONOMIC HARM SUFFERED BY THE TIMBUKTU COMMUNITY

8. Collective reparations for economic harm suffered by the community of Timbuktu were delivered through a mechanism referred to as the Economic Resilience Facility (ERF). The ERF aimed at addressing the indirect economic harm caused by the crimes to the community of Timbuktu. The ERF has been structured around two components:⁹ (i) a Microproject Support Fund to support a minimum of 46 initiatives carried out by local grassroot organisations based in Timbuktu and Bamako for a maximum amount of XOF 6,500,000 (equivalent of 9,909.18 EUR)¹⁰ selected following a local, inclusive, and open process; and (ii) the provision of support to a minimum of two macro projects conducted by the municipality of Timbuktu, designed to benefit the entire community, to complement the other collective reparations measures, and to

⁴ Twentieth update report on the updated implementation plan and request to reclassify as public portions of the case record, 19 May 2021, ICC-01/12-01/15-386-Conf, paras 44 *et seq.* A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/3wnkex/>.

⁵ With residual issues addressed by 4 December 2024. The TFV has also undertaken sustained efforts throughout the previous reporting periods to contact individuals who had not yet been reached, in order to enable the award and delivery of their individual reparations. *See* Thirty-eighth Update Report, para. 6.

⁶ *See* Thirty-eighth Update Report, paras 16, 42. The contract with the TFV's implementing partner CFOGRAD ended on the same date.

⁷ *See* Thirty-eighth Update Report, paras 44 *et seq.*

⁸ *See* Thirty-eighth Update Report, paras 67 *et seq.*

⁹ This structure is the product of the lengthy participatory and inclusive process previously reported, that led to defining the adequate measures and to ensuring that they are endorsed by the community.

¹⁰ Exchange rate applicable on 29 July 2025, using <https://www.xe.com/currencyconverter/>.

enhance the reparative effect of the programme. The collective reparations for economic harm were implemented by the TFV's implementing partner CIDEAL, an organisation that has, among other locations, a base in Timbuktu.

9. As part of the reallocation of the balance available from the financial envelope of individual reparations awards, the number of local initiatives to be supported had been increased to 70 initiatives, and the amount allocated to the macro projects was increased to support three initiatives in total.¹¹

10. During the reporting period, the ERF focused on the continued implementation, monitoring, and consolidation of ongoing activities under both its components. Under the Microproject Support Fund, efforts concentrated on finalising the financial and technical support to 70 local initiatives, 60 in Timbuktu and 10 in Bamako. Building on positive developments, some initiatives were further strengthened: with the agreement of the four selection committees established across eight neighbourhoods of Timbuktu, and because of their positive performance, 15 of the 70 supported organisations received additional in-kind support. The value of the additional equipment and furniture provided to each of these 15 organisations, operating in the productive sector, was set so as not to exceed the maximum total amount of 6.5 million CFA francs in the context of the ERF framework, with each organisation to receive an amount of 655,955 CFA Francs (equivalent of EUR 1,000.00).

11. Additionally, the selection committees approved renewed financial support for the three previously selected and supported organisations that had lost their initial investments (including pumps, production equipment, seeds, fencing, collection basins) due to floods affecting Timbuktu. The three organisations operate in the vegetable farming and agriculture sector. This decision was taken to avoid further negative effects on already vulnerable members of these organisations, who had started the implementation of their initiatives but were unable to complete them, and who had expressed high levels of frustration about the loss of their reparative support.

12. The Microproject Support Fund also intensified its monitoring efforts across all initiatives in Timbuktu and Bamako, including through verification visits to assess progress, expenditure compliance, and technical implementation. Additional technical support was provided to beneficiary organisations, particularly in areas such as basic business management, production techniques, and market access. The project selection committee in Bamako also participated in selected monitoring visits, contributing to quality assurance and follow-up

¹¹ See Thirty-eighth Update Report, para. 45.

recommendations. Implementation continued under the extended timeframe and was completed by the end of March 2026.

13. To ensure the sustainability and ownership of the ERF by the community, the TFV and CIDEAL engaged with the Commemoration and Selection Committee in the development and funding of a project. This initiative involved organising the Commemoration and Selection Committee into four Monitoring and Evaluation Committees. These four committees were trained in monitoring and evaluation techniques to continue supporting the 60 local initiatives in Timbuktu. Each committee has taken on the responsibility for monitoring 15 initiatives. Each of the monitoring committees has conducted visits to the organisations leading the local initiatives. These informal structures contribute to the broader dissemination of and community ownership over the 60 local initiatives.

14. Regarding visibility and participation, beneficiary organisations' engagement in the Timbuktu craft fair during the cultural biennial in December 2025 was followed up during the reporting period, including monitoring of their participation outcomes and commercial performance. These activities reinforced community visibility and provided opportunities for income generation and stakeholder engagement.

15. For the macro-project component, the reporting period was marked by the continued implementation of the second project and the launch of a third, alongside the supervision of ongoing infrastructure works, including technical monitoring. Coordination between municipal authorities, technical partners, and the implementing partner ensured effective oversight of the quality of works and compliance with technical specifications.

16. The second macro project – concerning the construction of septic tanks – continued during the reporting period due to an increase in funding available for that project. The amount initially allocated had allowed for the construction of ten septic tanks. While this measure provided some relief for wastewater management, the limited capacity of the ten cesspools required emptying every two to three days by the services of the urban municipality of Timbuktu. The additional funds made it possible to expand this major project by constructing two cesspools, allowing for longer intervals between emptying.

17. A third project was also supported, consisting of a broader sanitation project for the city of Timbuktu. Its objective was to equip the various neighbourhoods of Timbuktu with sanitation tools to support residents in maintaining their urban environment, in particular the city's protected sites. This initiative was carried out in collaboration with the Municipality's technical services and neighbourhood committees.

18. The Municipality's technical team conducted inspection visits to the various sites, and the Mayor of Timbuktu expressed satisfaction with the progress and results achieved. By the end of the reporting period, the three macro projects had been completed.

19. During the reporting period, CIDEAL organised an external evaluation of the ERF. The findings are expected to become available in the coming months and will inform the TFV's final report on the implementation of reparations in the present case anticipated by 6 February 2027.¹²

B. PROTECTION AND MAINTENANCE OF THE PROTECTED BUILDINGS

20. Reparations in the form of protection and maintenance of the Protected Buildings were executed in partnership with UNESCO and consist of a series of measures, namely: (i) capacity-strengthening of the masons corporation; (ii) reconstruction of the Al Arawani mausoleum; (iii) capacity strengthening of the Cultural Mission;¹³ (iv) planting of trees and hedges to strengthen the protection of mausoleums from environmental pressure; (v) lightning improvements around certain Protected Buildings; (vi) reconstruction of the walls of two cemeteries housing Protected Buildings; and (vii) the set-up of a Maintenance Fund for the Protected Buildings.

21. At the end of the previous reporting period, a limited number of measures remained to be completed, including relating to: (i) the repair works of the enclosure walls of two cemeteries; (ii) the installation of an irrigation mechanism for trees in four cemeteries; (iii) the drilling and equipping of two boreholes for the supply of water to two cemeteries and surrounding communities; (iv) the installation of signage, plaques, and related information signs near the Protected Buildings; (v) the Maintenance Fund for the Protected Buildings; and (vi) the provision of equipment/support to the Cultural Mission.¹⁴

1. Rehabilitation of Cemetery Enclosure Walls

22. During the reporting period, rehabilitation works were carried out on the enclosure walls, gates, and doors of the Three Saints and Alpha Moya cemeteries. The intervention, implemented in February and March 2026, restored damaged structures in accordance with

¹² See Thirty-fifth update report on the updated implementation plan, with Confidential Annexes A, B, C and D, 29 April 2025, ICC-01/12-01/15-480-Conf, para. 94. A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/j31zq28h/>.

¹³ Decision on the TFV's twenty-seventh and twenty-eighth update reports on the updated implementation plan, 25 August 2023, ICC-01/12-01/15-466-Conf ("Decision of 25 August 2023"), paras 22-23 (A public redacted version of this decision is available at: <https://www.legal-tools.org/doc/a7w99z/>); Decision on the TFV's Thirty-second, Thirty-third and Thirty-fourth update reports on the updated implementation plan, 11 February 2025, ICC-01/12-01/15-479 ("February 2025 Decision"), para. 4, fn 8.

¹⁴ February 2025 Decision, paras 4-7, fn 8. Other additional measures such as the continuation of the capacities' strengthening of actors in charge of the protection and maintenance of Protected Buildings in Timbuktu and outreach of the Timbuktu community about the value of Protected Buildings have concluded in the previous reporting period.

traditional architectural standards, reinforced weakened sections, addressed water infiltration, and included repairs and installation of doors and gates, as well as cleaning and finishing works.

23. It is the understanding of the TFV that maintenance of the Protected Buildings will now be the responsibility of the Association responsible for mausoleums and mosques in Timbuktu, under the supervision of the Ministry of Culture / the Cultural Mission.

2. Installation and Maintenance of Irrigation Systems in Cemeteries and Related Site Management Measures

24. During the reporting period, progress was made in strengthening the environmental protection and management of the targeted cemeteries. Maintenance and monitoring of planted trees and live hedges remained generally satisfactory across most sites, supported by local stakeholders. Outstanding salaries for cemetery caretakers were settled, contributing to improved site management.

25. Sustainable water supply solutions were established or reinforced at several cemeteries, including new water connections, boreholes, and the installation of drip irrigation systems. These measures significantly improved irrigation of vegetation and also benefitted surrounding communities.

3. Installation of Boreholes for Water Supply

26. During the reporting period, two equipped boreholes were completed at the Sidi Mahamoud and Three Saints cemeteries, significantly improving sustainable water access. Implemented in February and March 2026, the works were carried out with the involvement of local authorities and communities and under technical supervision of the Timbuktu Regional Water Authority to ensure compliance with technical and regulatory standards.

27. The installations include water storage, pumping, and solar-powered systems, as well as distribution points benefitting both the cemeteries and surrounding communities. These improvements enable regular irrigation of trees and live hedges, supporting environmental protection and the preservation of cultural heritage.

4. Installation of Irrigation Systems

28. During the reporting period, drip irrigation systems were fully installed across four cemeteries (Three Saints, Sidi Mahamoud, Alpha Moya, and Cheick Sidi El Moctar El Kounti). The intervention aimed to ensure a continuous water supply to planted trees and hedges, thereby increasing plant survival rates and supporting environmental preservation. The systems are now

operational at all sites and have significantly improved irrigation efficiency while reducing the workload of site caretakers.

5. Installation of Signage on Protected Buildings

29. During the reporting period, ten informational panels and ten plaques were designed and installed across nine mausoleums and the Sidi Yahia Mosque. Drawing on prior technical and historical research, the signage provides key information on the identity, history, and cultural significance of each site, enhancing public awareness, community engagement, and the promotion of cultural heritage.

30. The intervention represented an important step in the protection and enhancement of Timbuktu's protected sites and aligns with international heritage conservation standards. It contributed to raising community awareness, educating young people about cultural heritage and gradually reviving tourism. The installation of the ten plaques was subject to consultations with stakeholders.

6. Maintenance Fund for the Protected Buildings

31. During the reporting period, activities continued under the Fund for the Maintenance of Protected Buildings in Timbuktu, which has been established to continue activities related to the maintenance of Protected Buildings beyond the implementation period of the collective reparations by the TFV. Activities focused on the implementation and follow-up of preventive conservation measures in collaboration with local stakeholders, including the association of mausoleum and mosque custodians and the Cultural Mission of Timbuktu. Preparatory work was undertaken for the planned maintenance of mausoleums, particularly those located in the Three Saints Cemetery, and related deliverables from previous contractual payments were processed. No emergency repair interventions were recorded during the period.

7. Support to the Cultural Mission

32. During the reporting period, equipment was provided to further strengthen the operational capacity of the Cultural Mission of Timbuktu. This included the installation of a solar energy system to improve energy autonomy, as well as the provision of audiovisual and digital equipment to support training, awareness-raising, and administrative functions. The intervention enhanced working conditions and the institution's ability to carry out its mandate, with benefits for the preservation and management of cultural heritage for the wider community, including the descendants of the Saints, local actors in charge of the maintenance of the protected sites, and the women ambassadors.

8. Contribution to the rehabilitation and/or equipment of a cultural space in Timbuktu

33. During the reporting period, efforts continued to implement the additional measure approved by the Trial Chamber in its Decision of February 2025 in the context of the reallocation of resources from the unspent funds from individual reparations, namely the refurbishment of a cultural space in Timbuktu.¹⁵ This measure originally pertained to the rehabilitation of the Ali Farka Touré Cultural Centre. The latter was refurbished by the local authorities in November 2025. Accordingly, and in response to a request from the Municipality and the local community, it was decided to rehabilitate and/or equip the former Ahmed Baba Centre in Timbuktu instead.¹⁶

34. The rehabilitation activities could not be undertaken due to persistent administrative and access constraints. [REDACTED] The TFV and UNESCO had accordingly multiplied their engagement with the different authorities – both at the national and local level – to obtain the necessary authorisations and access to the site. Following an official letter sent by UNESCO, the Minister of Culture issued on 13 March 2026 his official agreement to proceed with the work (Annex B). Despite this high-level go-ahead, and after repeated attempts to initiate implementation, ultimately the custodians of the location informed that, upon instructions received, no engagement or activities could be undertaken. The delayed and negative response made it impossible to identify alternative activities that could be implemented within the timeline for completion of the Reparations Programme. Therefore, this sub-component of support to the national authority could not be realised.

9. Project Evaluation

35. During the reporting period, an independent evaluation of the project was initiated by UNESCO through the engagement of a heritage expert tasked with assessing overall performance, effectiveness, efficiency, and impact of the interventions. Findings will be available in the coming months and will be duly incorporated in the final report of the TFV on the implementation of the reparations in the present case pursuant to Regulation 58 of the Regulations of the Trust Fund for Victims.

C. RELATED COMMEMORATIVE ACTIVITY

36. In agreement with the community of Timbuktu, the TFV has initiated the production of a film highlighting the city's unique cultural and historical significance. Filming took place in February 2026 in Timbuktu and captured the city as restored and strengthened through the efforts of various stakeholders since 2013. The film is currently in post-production. Its

¹⁵ February 2025 Decision, para. 5, fn. 13. See also Thirty-third update report on the updated implementation plan, with annexes A and B, 29 October 2024, [ICC-01/12-01/15-477](#), para. 96.

¹⁶ See Thirty-eighth Update Report, para. 104.

dissemination is intended to help convey the values embodied by Timbuktu and to contribute to restoring the dignity of the community, which had been undermined by the destruction of the mausoleums.

V. SUPPORTIVE ACTIVITIES

37. During this reporting period, the TFV carried out a number of supportive activities in Bamako and Timbuktu, namely (A) management of the feedback mechanism; (B) programme coordination with the implementing partners; (C) a final evaluation of the reparations programme; and (D) a stocktaking exercise.

A. MANAGEMENT OF THE FEEDBACK MECHANISM

38. As reported previously, taking into consideration the restricted access to Timbuktu, the extensive target population of the collective reparations measures, and its accountability vis-à-vis the community of Timbuktu, in April 2024, the TFV established a feedback mechanism to facilitate the interaction between the community of Timbuktu and the TFV.¹⁷

39. During the reporting period, a total of 37 calls were received. Of these, 19 related to the *Al Hassan* case, while 18 concerned the TFV's assistance programme. No calls were received in connection with the *Al Mahdi* programme. The TFV considers that this may be attributable to the population having been adequately informed of the completion of the TFV's collective reparations programme, notably through stocktaking activities conducted by the TFV and its partners, as well as targeted communications with affected communities regarding the programme's imminent conclusion.

40. With respect to the *Al Hassan* case, the 19 callers (8 women and 11 men) sought to submit applications for reparations in relation to harm suffered. These individuals were referred to VPRS for assessment of their potential eligibility. The 18 callers (17 women and 1 man) who contacted the hotline regarding the assistance programme primarily wished to express their gratitude for the reparations received and conveyed their appreciation for the TFV's support.

B. PROGRAMME COORDINATION WITH THE IMPLEMENTING PARTNERS

41. Monitoring by the TFV of the work of implementing partners took place on a regular basis throughout the reporting period. To reinforce monitoring, the TFV continued to hold coordination meetings with all three implementing partners. During these meetings, implementing partners presented their activities, preliminary results, encountered challenges,

¹⁷ Thirty-first update report on the updated implementation plan, 29 April 2024, ICC-01/12-01/15-474-Conf-Exp, paras 94-96.

and upcoming priorities. Joint activities were also organised in close coordination with all relevant stakeholders.

42. The contracts of all three implementing partners concluded on 31 December 2025 (CFOGRAD), and on 31 March 2026 (CIDEAL and UNESCO), respectively. Following the completion of programme implementation activities by the implementing partners, the TFV will now take forward its responsibilities with respect to oversight, monitoring, and final assessment of the results achieved. This will include the review and analysis of outstanding final narrative reports, verification of deliverables against contractual obligations, financial and accounting review, and consolidation of findings for the purposes of the final TFV report on the implementation of reparations in the present case, in line with Regulation 58 of the Regulations of the Trust Fund for Victims, as well as as part of the TFV's overall programme evaluation.

C. EVALUATION

43. In addition to project-level evaluations commissioned by the respective implementing partners described in this Report, the TFV has continued, during the reporting period, activities related to the procurement of the final global evaluation of the programme. Upon completion of the contracting process, data collection will commence and will involve relevant stakeholders, including the national authorities. The results of the evaluation are expected to be incorporated into the TFV's final report on the implementation of the present reparations.

D. STOCKTAKING

44. The TFV initiated a cross-programme stocktaking exercise that includes consideration of the measures and activities in the present case,¹⁸ with a view to identifying lessons learned and supporting the systematisation of approaches and eventual institutionalisation of best practices developed in Mali, as well as drawing on the TFV's broader experience in Uganda, Côte d'Ivoire, and the Democratic Republic of the Congo. The exercise has been conducted with the support of technical facilitators contracted for this work. During the reporting period, more than ten preliminary interviews were carried out with key stakeholders to identify principal themes for analysis.

45. Thereupon, a workshop was convened in Bamako from 10 to 13 February 2026, aimed at undertaking a critical review of the methodologies applied in TFV programmes, with a focus on the *Al Mahdi* reparations programme in Mali. This process was intended both to facilitate reflection on past practices and to strengthen the TFV's institutional learning framework,

¹⁸ See Thirty-eighth Update Report, para. 130.

thereby enabling future programme teams to draw in a systematic manner on accumulated experience and lessons learned when designing and implementing interventions in new contexts.

46. The workshop brought together all Mali-based TFV implementing partners, alongside representatives of Malian authorities, including the Ministry of Justice, the Mayor of Timbuktu, and the Head of the Cultural Mission. Civil society representatives and victims' associations also participated. The TFV notes that certain participants invited in their capacity as civil society actors concurrently hold positions within regional authorities. The Ministry of National Reconciliation formally declined the invitation. Other ministries did not respond. The workshop further benefitted from the participation of reparations experts and other relevant stakeholders.

47. The discussions were guided by, *inter alia*, the following key questions: (i) what considerations should the TFV prioritise when designing and implementing programmes in previously unknown or unexplored operational contexts; and (ii) from the perspective of implementing and other partners, what information or guidance would have been essential at the outset to support effective programme delivery.

48. The key findings and recommendations arising from this exercise will be presented in the final report to the Chamber.

VI. COLLECTIVE REPARATIONS HANDOVER

49. During the reporting period, the TFV has continued its efforts to define arrangements for a high-level ceremony to officially hand over the results of the programme to the community of Timbuktu. While such ceremony is not part of the reparation measures, it would formally mark the completion of the programme, and would enable the Government of Mali to be credited for its contribution to the realisation of reparations, thanks to its strong and constructive cooperation over the past seven years.

50. [REDACTED]

51. [REDACTED]

IN CONCLUSION,

The Trust Fund for Victims respectfully requests the Trial Chamber to take note of the present report.

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Franziska Eckelmans, Legal Adviser, Trust Fund for Victims
on behalf of
Deborah Ruiz Verduzco, Executive Director

Dated this 29th Day of July 2026

At The Hague, The Netherlands