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**International  
Criminal  
Court**

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**TRIAL CHAMBER VIII**

**Before:**

**Judge Antoine Kesia-Mbe Mindua  
Judge Bertram Schmitt  
Judge Maria del Socorro Flores Liera**

**SITUATION IN THE REPUBLIC OF MALI**

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

**Public**

**With 3 confidential *ex parte* annexes**

**Public redacted version of “Twenty-eighth update report on the updated implementation plan”, ICC-01/12-01/15-465-Conf, 6 June 2023**

**Source:**

**The Trust Fund for Victims**

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

**Office of the Prosecutor**

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**REGISTRY**

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**Registrar**

Mr Osvaldo Zavala Giler

**Victims and Witnesses Section**

**Victims Participation and Reparations**

**Section**

Mr Philipp Ambach

**Other**

## I. BACKGROUND

1. The Trust Fund for Victims hereby submits its twenty-eighth update report following Trial Chamber VIII's ("Trial Chamber" or "Chamber") decision of 4 March 2019 approving the Update Implementation Plan submitted by the Trust Fund for Victims ("TFV").<sup>1</sup>

## II. CLASSIFICATION OF THE PRESENT SUBMISSION

2. Pursuant to regulation 23 *bis* (1) of the Regulations of the Court, the Trust Fund for Victims has classified this report as confidential for the reasons set out in the Trust Fund's previous update reports.<sup>2</sup> A public redacted version will follow.

## III. RELEVANT PROCEDURAL HISTORY

3. On 6 March 2023, the Trust Fund for Victims filed its twenty-seventh update report on the implementation of reparations in the *Al Mahdi* case ("Twenty-Seventh Update Report").<sup>3</sup> The procedural history applicable to the present progress report is presented therein.<sup>4</sup>

## IV. UPDATE REPORT OF 6 JUNE 2023

4. The present report covers the period from 7 March 2023 to 6 June 2023, and is structured as follows. The cover filing presents progresses in relation to the implementation of individual reparations (A), collective reparations (B), symbolic reparations (C), gender mainstreaming (D), and institutional strengthening (E). Annexes 1, 2, and 3 (confidential *ex parte* only available to the LRV and Registry) contain the following documents submitted by UNESCO: "Request to consider the evolution of the harms and needs of the communities for satisfying reparations to the Timbuktu community" (Annex 1);<sup>5</sup> Explanatory Note by UNESCO on the extension to all Protected

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<sup>1</sup> Decision on the Updated Implementation Plan from the Trust Fund for Victims, 4 March 2019, ICC-01/12-01/15-324-Conf.

<sup>2</sup> See First monthly update report on the implementation plan, 15 August 2018, ICC-01/12-01/15-277-Conf, para. 3; Second Monthly update report on the implementation plan, 14 September 2018, ICC-01/12-01/15-283-Conf, para. 8.

<sup>3</sup> Twenty-Seventh Update Report on the updated implementation plan, with 2 confidential *ex parte* annexes, 6 March 2023, ICC-01/12-01/15-462-Conf.

<sup>4</sup> *Ibid.*, paras 1-3.

<sup>5</sup> *Demande de prise en compte de l'évolution des préjudices et besoins des communautés pour une réparations satisfaisante de la communauté de Tombouctou.*

Buildings of the lighting infrastructure around mosques and mausolea (Annex 2);<sup>6</sup> and Explanatory Note by UNESCO in support of the request on additional needs of [REDACTED] (Annex 3).<sup>7</sup>

## **A. Individual reparations**

5. It is recalled that by its Decision of 27 October 2022, the Trial Chamber extended the deadline for the Legal Representative of Victims (or “LRV”) to conclude the consolidation of all applications for individual reparations in his possession to 15 December 2022, and consequently extended the deadline for the Trust Fund for Victims to complete the implementation of individual awards to 14 March 2023 (“27 October 2022 Decision”)<sup>8</sup>.

### **1. Administrative decisions**

6. In line with the 27 October 2022 Decision and the deadline for completion of implementation of individual awards set thereby, on 15 February 2023 the Board of Directors of the Trust Fund for Victims adopted its last batch of administrative decisions on applications transmitted by VPRS (40<sup>th</sup> batch of 134 positive administrative decisions).

### **2. Payment of the individual reparations awards to victims who received a positive decision**

7. Between 6 and 12 March 2023, 87 eligible victims received payment of their entitled reparation award. To date, all 452 beneficiaries who received a positive decision in the previous reporting period have received payment of their individual reparations award. Of all applicants having received a positive eligibility decision, only five beneficiaries who could not be reached remain to be paid. In the reporting period, the Trust Fund for Victims has located the contact information of four of them and will proceed to execute the payment, even if the deadline set by the Chamber has elapsed. One beneficiary remains unreachable.

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<sup>6</sup> *Note explicative sur l’extention de l’amélioration de l’éclairage autour des mausolées et mosquées à l’ensemble des dix Bâtiments protégés.*

<sup>7</sup> *Note explicative de la demande de besoins supplémentaires de [REDACTED].*

<sup>8</sup> Third Decision on the LRV’s Request for an extension of the time limit, 27 October 2022, ICC-01/12-01/15-459-Conf.

### **3. Applicants with pending applications**

8. In its Twenty-Seventh Update Report,<sup>9</sup> the Trust Fund for Victims communicated to the Chamber the situation concerning pending applications. The Trust Fund for Victims is currently gathering all necessary information in order to submit to the Trial Chamber proposals on how to address said pending applications and payments.

### **4. Outreach to disseminate information about the individual reparations process**

9. To enhance accountability and transparency, the Trust Fund for Victims has engaged in outreach to beneficiaries to inform them of progress in implementing the individual reparations. During the reporting period, a meeting for this purpose was held with beneficiaries and the heads of their families in Timbuktu on 8 March 2023. Information about the number of applications received, about positive and negative eligibility decisions and on the total amount disbursed for individual reparations was conveyed to them.

10. At this meeting, the heads of the families of beneficiaries expressed their satisfaction with the management of the process and the delivery of individual reparations. They stressed the recognition of their suffering as a mean to deliver their right to justice, and they underscored the significance of reparations becoming a reality.

11. Also, at this meeting the heads of families expressed concerns about the length of the process and requested the Trust Fund for Victims to process the outstanding applications as promptly as possible.

12. Other stakeholders such as masons and guardians, traditional leaders, women groups representatives and the Memorialisation Committees were also informed of the status of implementation in meetings held in person in Timbuktu between 6 and 10 March 2023.

## **B. Collective reparations**

13. It is recalled that the collective reparations ordered by the Trial Chamber for the benefit of the community of Timbuktu consist of three modalities: (i) collective

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<sup>9</sup> See also Twenty-Seventh Update Report, para. 65.

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.

14. In the reporting period, between 6 and 10 March 2023, a joint mission to Timbuktu was conducted by the Trust Fund for Victims together with its implementing partners (CFOGRAD and CIDEAL), the Ministry of Culture of Mali, and the local authorities of Timbuktu to engage with victims and other stakeholders. The joint mission demonstrates the political buy-in and ownership of Malian authorities in the reparations process.

### **1. Collective reparations for moral harm suffered by the Timbuktu community**

15. With regard to the collective reparations for moral harm, the Trust Fund recalls that they consist of several measures, the general aim of which is to alleviate the moral suffering endured by the community of Timbuktu as the result of the destruction of the Protected Buildings.

16. The project is implemented with CFOGRAD, a Timbuktu-based organisation. Activities effectively started in June 2021. Four memorialisation committees were set up in Timbuktu: Sarakeina and Hammabangou (Committee I), Badjindé and Djingareyber (Committee II), Abaradjou and Sankoré (Committee III), and Bellaferandi and Kabara (Committee IV); while one memorialisation committee was set up in Bamako. They aim at providing a space permitting community discussions as to the crime that occurred, its impacts, and whether or not it should be memorialised and, if so, how. Sub-committees have been established to ensure the largest participation of the different groups of the community, including women and children.

17. In respect of the purpose, establishment and work of the five memorialisation committees, including preliminary proposals presented by each committee, the Trust Fund refers to its previous reports, which also describe the working methods applied.<sup>10</sup> In the previous reporting period, a Local Committee was established by Decision No. 001/22/CUT/2022 of the Mayor of the City of Timbuktu.<sup>11</sup>

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<sup>10</sup> Twenty-first update report on the updated implementation plan, 25 August 2021, ICC-01/12-01/15-405-Red, para. 30; Twenty-second update report on the updated implementation plan, 25 November 2021, ICC-01/12-01/15-436-Red, paras 25-32; Twenty-third update report on the updated implementation plan, 25 February 2022, ICC-01/12-01/15-438-Red, paras 34-37; Twenty-sixth update report on the updated implementation plan, 25 November 2022, ICC-01/12-01/15-460-Conf, paras 44-49

<sup>11</sup> For its composition and mandate, see Twenty-Seventh Update Report, para. 73

18. During the reporting period, on 9 March 2023, the Trust Fund, the Ministry of Culture of Mali, and the local authorities of Timbuktu met with the Local Committee and the Bamako memorialisation committee.

19. In the week of 14 March 2023, the Local Committee selected, on the basis of objective criteria, a memorialisation measure made of two components: (i) the erection of a memorialisation monument, or memorial, in the form of a Walaha, and (ii) the construction of an additional room in the Timbuktu museum dedicated to the mausolea. These measures were decided based on the advice from the grassroots community following an extensive consultation process.

20. The measures for memorialization are informed by the request of the communities to highlight the courage and resistance of the inhabitants of Timbuktu in the face of the extremist groups in 2012 and the crimes committed on the Protected Buildings. From an architectural perspective, the memorial is designed to respect the customs and traditions of the city of Timbuktu, and will be in the form of a Walaha, namely a traditional slate intended for learners of the suras and mainly used in the town's Koranic schools. The additional museum room will serve as a place of remembrance, preservation of images of the destruction and reconstruction of the mausolea, as well as of other objects that connected to them.

21. The memorial is intended to convey and spread a universal message of vigilance and religious tolerance, as it will be a place of remembrance and meditation, leading visitors to reflect on shared values thanks to the testimonies of the victims of the crimes.

22. At this same meeting, the Local Committee discussed the suitable location of the monument, with the aim of ensuring access to the entirety of the affected communities including those living further away. Its location is strategic as it must not be hidden, and must serve as a reminder of the courage and bravery of the victims. In line with the participatory approach integral to this programme, the committees will continue to engage with the communities in the upcoming phase, including the design and construction of the memorial, as well as the modalities for its inauguration. CFOGRAD is currently working on the design documents.

23. In the reporting period, the Trust Fund for Victims received the conclusions of CFOGRAD as a result of its engagement with the communities, which refer to (i) the persistence of the impact of the crimes on the mental health of community members; and (ii) the need to adopt a community based approach that considers the negative impact of

gender roles, perceptions and stereotypes on men who have suffered from trauma and other psychological consequences as a result of the convicted crime.

24. On the basis of this information and having considered that the proposal by CFOGRAD is in line with the reparations ordered by the Chamber, the Trust Fund for Victims endorses the proposal by CFOGRAD to focus its third year of activities on the delivery of psychological support to the community via community-based therapy, and unless otherwise directed by the Chamber implementation will be done accordingly.

## **2. Collective reparations for economic harm suffered by the Timbuktu community**

25. With regard to the collective reparations for economic harm, the Trust Fund recalls that they are channelled through the Economic Resilience Facility (“ERF”). Their aim is to address the indirect economic harm caused by the crimes to the community of Timbuktu. The content of the measures included in the ERF were identified and further detailed following a participatory and inclusive process, and the support of experts, including economic experts, and validated by the community during the previous reporting periods.

26. During the reporting period, two components of the ERF were further developed and endorsed at the local level, including by local authorities and memorialisation committees.

27. The first component of the ERF is a Microproject Support Fund that will support a minimum of 46 microprojects devised and presented by local, grassroots organisations based in Timbuktu for a maximum amount of 6,500,000 XOF to be selected following an inclusive and open process.

28. In this period, the eligibility of microprojects’ applicants was decided. The eligibility framework provides that grassroots organisations that can propose a microproject must meet the following cumulative eligibility criteria: (i) being an organisation at the service of the members of its community, pursuing an economic, social, cultural or general objective; (ii) being an organisation with its headquarter and activities in the urban municipality of Timbuktu; (iii) being an organisation made up of Timbuktu citizens who were there at the time of the commission of the crime, noting that the organisation does not necessarily have to have been created and/or active before the events of 2012, but its founding members should be able to prove that they were present



in Timbuktu before the crime; (iv) being an organisation whose area(s) of intervention are in line with the reparations order; (v) being an organisation that is operational at the time of the call for proposals, i.e. which can demonstrate the establishment of shared rules, procedures for implementing operational activities, a minimum of experience in terms of carrying out collective actions in the past, and ability to take direct responsibility for implementing the microproject.

29. As per the eligibility criteria, the following entities are not eligible (i) individuals, families, or private companies such as fuel stations, agricultural input supply companies, trading companies, private joineries, garages, mechanical workshops, hardware stores, stationery stores, private medical practices, pharmacies, veterinary clinics, cyber and IT service centres, transport companies, design offices, construction companies, security companies, traditional financial establishments, private schools, hotels, campsites, restaurants, bakeries, cake shops, etc.; (ii) any organisation subject to bankruptcy, liquidation, cessation of activity or any other similar situation, or a conviction (for offences involving the professional morality of the organisation); (iii) any organisation that has committed a serious offence, which the local authorities are able to justify such as fraud, corruption, participation in an illegal activity, non-compliance with contractual obligations, false declaration, or other unlawful act; (iv) any organisation with a conflict of interest (particularly in the context of the implementation of the collective reparation measures, such as the memorialisation committees); or (v) any political organisation (political party, trade union, and affiliated associations). Conversely, the following are therefore eligible for the Microproject Support Fund: grassroots community organisations, professional organisations, local NGOs, religious organisations, civil society organisation platforms and community radio stations.

30. Further, it was decided that to be selected, the projects must contribute to the community's collective reparations and to the improvement of the living conditions of the people of Timbuktu. To be eligible, project proposals must fall within one of the following themes: (i) support to the productive sectors (excluding the purchase/resale trade, and tourism), (ii) maintenance and enhancement of cultural heritage (material heritage, intangible heritage), (iii) environment protection, (iv) collective actions to strengthen social cohesion at city level.

31. As the reparations measures has to benefit to the entire community of Timbuktu, during this period, a framework for quotas has also been established in order to ensure

that grassroots organisations from all sectors of the community and city of Timbuktu will participate; therefore, the Microproject Support Fund aims to support a minimum of 11 grassroots organisations for the Sector 1 (Hamabangou and Sareikeina), five for Sector 2 (Badinjé and Djingareiber), 14 for Sector 3 (Abaradjou and Sankore), 12 for Bellafarandi and Kabara. The quotas have been determined based on the most recent estimation of the population, as possessed by the Timbuktu Town Hall enrolment department - tax 2022. A minimum of four grassroots organisations related to the diaspora of Timbuktu living in Bamako has been proposed. To ensure women have access to the collective reparations measures, a 35 percent quota has been established for the selection of a minimum number of women's organisations. Out of the minimum 46 microprojects to be supported, a minimum of 16 shall be carried by organisations supporting exclusively women or made of women.

32. In order to ensure a participative process, in the reporting period, the implementing partner CIDEAL has proactively reach out to all potentially eligible organisations in Timbuktu in order to provide them with the same information and equal opportunity to participate in the collective reparation mechanism. A total of 797 organisations have been mapped out (746 being formal and 51 informal); of them, 277 are female-based organisations.

33. Each organisation was provided with a questionnaire and evaluated on the basis of exclusion and eligibility criteria. 748 organisation filled in the questionnaire, while 49 were either non reachable or were registered in several sectors of the city of Timbuktu.

34. The review of the questionnaires, conducted during the reporting period, resulted in the eligibility of 259 grassroots organisations (256 are formal structures, 3 informal; of them, 67 are female-based organisations). In terms of fields of activity, 87 eligible organisations work in food processing (33.59%); 26 in social awareness and education (10.03%); 7 in child protection (2.70%); 11 in environmental protection (4.24%); 29 in sanitation (11.19%); 15 in crafts (5.79%); two in the conservation of manuscripts (0.77%); three in radio communication (1.15%); 10 in safeguarding the intangible heritage (3.86%); five in traditional masonry (1.93%); two in hand embroidery (0.77%); 10 in other specialised professions (3.86%); 39 in market gardening (15.05%) and 13 in animal husbandry (5.01%). These 259 organisations have a total of 11,006 members, including 7,185 women (65.28%) and 3,821 men (34.72%). They belong to the following

Sectors: 46 in Sareykeina, 36 in Hamabangou, 47 in Abaradjou, 31 in Sankoré, 36 in Badjindé, 23 in Bellafarandi, 27 in Kabara and 13 in Djingareyber.

35. The plan for publication of the list was approved during the reporting period. The plan anticipates dissemination of the list of the 259 organisations in all Sectors of the city of Timbuktu as well as at the City Hall to ensure transparency and to allow non eligible organisations to present additional information in support of their eligibility request. The plan anticipates also that the list could be refined following potential submissions by relevant organisations that may be excluded by the current eligibility criteria.

36. In the coming weeks, the eligible organisations will be invited to submit an application for microproject funding and will benefit from support through CIDEAL for the development of their microproject proposal.

37. During the reporting period, the governance and management of the selection process of the microprojects has also been decided. It will be handled at the local level under the supervision of CIDEAL and the Trust Fund. The memorialisation committees put together as part of the reparations for moral harm implemented by CFOGRAD are central in this approach due to their representative composition and in order to ensure the largest participation of the different groups of the community, including women and children. The memorialisation committees have played an active role in endorsing the measures as well as in mapping the relevant organisations.

38. Once the call for microproject proposals will be out, the memorialisation committees will be in charge of undertaking a pre-selection, while the Local Committee established by the Mayor of Timbuktu will have the responsibility to review and validate this pre-selection against the established above-mentioned quotas.

39. During this reporting period, the second component of the ERF has also been designed and approved. It consists in the provision of support to a project conducted by the municipality of Timbuktu, designed to be complementary to the other collective reparations measures implemented by the TFV together with its implementing partners CFOGRAD and UNESCO, to enhance the reparative effect of the programme. In the reporting period, the setup of the first component was prioritised and further information of the progress of this component will be reported in the next update report.

40. In the course of a joint mission on 6 to 10 March to Timbuktu, the TFV together with CIDEAL presented and launched the measures covered by the ERF through a number of meetings with relevant stakeholders, including the Mayor of Timbuktu, the

Municipal Council, the memorialisation committees, and women from the communities. The governance of the ERF mechanism was further consolidated with the views of community leaders.

### **3. Protection and maintenance of the Protected Buildings**

41. In the reporting period, the activities presented below and categorised on the basis of the relevant approved projects were carried out.

42. Planting of trees – In the reporting period, UNESCO has been managing the procurement process to select the company to conduct this work of planting trees and hedges around cemeteries. The planting of trees will be implemented in the rainy season which should be in July.

43. Capacity building for the Masons' Corporation – In the context of the sustainable conservation of Protected Buildings in Timbuktu, the TFV together with UNESCO has completed three modules of capacity strengthening training for the masons. The final training took place between 7 and 9 March 2023 in the presence of the TFV in Timbuktu. This workshop was attended by 20 qualified masons, 20 apprentices, and 10 women masons. At the end of the workshop, also signifying the completion of this reparative component, the masons expressed their satisfaction with the progress of the work, and expressed their thanks as well as the need for continued support for the protection of Timbuktu's cultural and architectural heritage. Additionally, at the workshop's closing ceremony on 9 March 2023, the Trust Fund, the Ministry of Handicrafts, Culture, the Hotel Industry and Tourism, as well as [REDACTED] and the Town Hall awarded the graduates with their diplomas.

44. Rehabilitation of the enclosure walls of two cemeteries housing the mausolea of two Saints – During the reporting period, UNESCO has been managing the procurement process to select the company to implement the work locally. Six companies were pre-selected including three which are members of the corporation of masons.

45. Establishment of a support mechanism for the maintenance of the Protected Buildings in Timbuktu – The technical study, which was launched in October 2022, provided an overview of the problems affecting endogenous practices for the maintenance of the protected heritage. Five main categories were identified through meetings, interviews, site visits and training workshops: (1) lack of understanding of the implications of the classification of a building as World Heritage; (2) difficulties in

obtaining and using building and maintenance materials for earthen buildings; (3) problems of skill transfer, training the next generation and the need to introduce good practices therein; (4) problems of sanitation, uncontrolled occupation of spaces, and security; (5) difficulties in the management of the maintenance fund for protected buildings.

46. Possible solutions were identified and were the subject of an initial discussion session on 8 March 2023 in Timbuktu in the presence of the Trust Fund, the Ministry of Culture, [REDACTED] and the Town Hall. Said possible solutions include: (i) awareness-raising sessions and a public campaign to inform local partner communities and institutions about the importance and challenges in maintaining and preserving the Protected Buildings in Timbuktu, particularly in the context of reparations; (ii) setting up of a bank of building materials in Timbuktu to make it easier to supply the masons' guild with good-quality building materials for maintaining and preserving the Protected Buildings, and to provide carpenters with good-quality timber for their maintenance; (iii) continuing to train the key actors in the maintenance, rehabilitation and safeguard of the heritage through an open day for the masons' guild, a long-term work camp and capacity-building for women and girls in the masons' guild; (iv) annual plastering of the Protected Buildings and inspections on maintenance work; (v) designing and establishment of awareness-raising and information panels on sanitation, with strong slogans and messages, in order to prevent/minimise rubbish dumping around Protected Buildings and in public spaces, as well as setting up a collaborative system between the city of Timbuktu and the associations to clean up and periodically remove rubbish from the Protected Buildings; (vi) setting up a fund to support the maintenance of the Protected Buildings through a community structure.

47. If all these measures are suitable to prevent the risk of the deterioration of the national heritage, the selected measure will have to allow for the maintenance of the Protected Building beyond the reparation programme without requiring continuous external support or financing. Additionally, the financial envelope allocated to UNESCO for the implementation of the protection and maintenance of the building does not allow to cover all the final recommendations. The Trust Fund, UNESCO and [REDACTED] continue the engagement with experts and the community of Timbuktu. Further proposals are being discussed and will be presented to Chamber in the next quarterly report.

48. Foundation stone ceremony and reconstruction of the Sheikh Mohamed Mahmoud Al Arawani Mausoleum – On 8 March 2023, UNESCO together with the TFV organised and held the foundation stone ceremony for the reconstruction work for the mausoleum of Sheikh Mohamed Mahmoud Al Arawani. The ceremony consisted in laying the foundation stone for the reconstruction of the mausoleum and was conducted under the chairmanship of the representative of the Minister of Culture, in the presence of the technical adviser in charge of cultural heritage, the first deputy mayor of Timbuktu, representatives of the governorates of the regions of Timbuktu and Taoudéni, the family of Sheikh Mohamed Mahmoud Al Arawani, as well as the other TFV partners, including CIDEAL and CFOGRAD. During the ceremony, the authorities of Timbuktu and Taoudéni officially launched the reconstruction work. The presence of the governorate of Taoudéni was an opportunity to send a strong message underlining that collective reparations are aimed to be for the benefit of all the communities making up the population of the city of Timbuktu. The ceremony also consisted of the reading of the Koran at the mosque, sharing of a community meal and laying the first stone in the present of the communities and authorities of Timbuktu.

49. The mausoleum was rebuilt on the ruins of the old building using cut alhor stone masonry, mortared with banco mortar and grouted with cement. It is square at the base, tapering to 2.70 meter in length and 2.70 meter in width, and 1 meter high above the foundation, 20 cm to the north and 40 cm to the south. Specific requests have been made by [REDACTED], namely that the mausoleum be rebuilt without the roof, that the height be reduced to 1 meter, and that the floor be covered with earthen plaster. Following technical advice, the mausoleum was finally rebuilt on the basis of these recommendations. The decision was accepted on the grounds that the mausoleum is not a listed building and the impact that a decision to the contrary would have had on the reparative value of the measure.

50. In the reporting period, the reconstruction work was fully completed: the mausoleum has been successfully rebuilt. The handover to the family and the inauguration will take place in the coming months.

51. Solar-panel lighting and logistical support for [REDACTED] – In the reporting period, the TFV received a formal request through UNESCO from the community and [REDACTED] concerning the proposal to include new modalities of execution of the lighting improvement project and the logistical support to [REDACTED].

52. The first request from UNESCO, as annexed to this report, aims at extending the installation of solar lighting infrastructure around the Sheikh Mouhamad El Mikki, Sheikh Abdoul Kassim Attouaty, Sheikh Sidi Ahmed Ben Amar Arragadi, and Alpha Moya mausolea, namely mausolea not originally included in Updated Implementation Plan (or “UIP”) among those benefitting from this intervention.<sup>12</sup> These mausolea are in a similar situation as the mausolea benefitting from the solar lighting reparations project.

53. The aim of installing lighting is to improve visibility around the sites at night and prevent crime, thus leading to greater use of these public spaces. The crowds increase surveillance and informal social control of the sites by the community and thus enhances the value of the sites.

54. The fact that these buildings are not illuminated, even though they are in the same situation of insecurity and vulnerability as other protected buildings, creates a situation of inequality between the families of the descendants and the communities in the various neighbourhoods, which is likely to create tensions within the community, even though the reparations are intended to contribute to social cohesion and strengthen the links necessary for the maintenance and protection of the buildings by the community itself.

55. The second request submitted by UNESCO to the Trust Fund aims at providing [REDACTED] with additional working tools in order to carry out its mission, in addition to the 50 chairs and two motorbikes presented in the UIP.<sup>13</sup> The rationale behind the request is related to the increased role of [REDACTED] over the last two years with the rehabilitation and maintenance of the Protected Buildings, but also to the urban pressure on cultural heritage. In fact, [REDACTED] has to increase its interactions with the community, both to strengthen the actors involved in the rehabilitation and maintenance of the Protected Building and to prevent damages thereto.

56. The increase in activities [REDACTED] requires greater reception capacity. To achieve this, [REDACTED] has identified the need to acquire a desk, an armchair, a cupboard, a computer and accessories (printer and scanner), and a small refrigerator. This equipment will improve the working conditions of [REDACTED] and, consequently, the Timbuktu communities, in particular the corporation of masons, the members of the mosque management committees, families and guardians of the mausoleums. With this

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<sup>12</sup> Updated Implementation Plan, with two confidential annexes and one confidential *ex parte* annex, 2 November 2018, ICC-01/12-01/15-291-Conf, para. 100.

<sup>13</sup> Updated Implementation Plan, para. 104.

additional support, [REDACTED] will also be strengthened in its support to the continuation of the implementation of the collective reparations programme.

57. As per UNESCO's annexed communications, the inclusion of these modalities within the relevant projects will not impose additional spending, and would remain within their allocated envelopes.<sup>14</sup> Considering the community origin of the requests, the direct impact of the requests on the ongoing implementation of collective reparations, the absence of financial impact, and the role assigned to the TFV in the implementation of the modalities of execution of each proposed project approved by the Chamber,<sup>15</sup> the Trust Fund for Victims proposes to proceed with the activities requested by UNESCO, unless otherwise instructed.

### **C. Symbolic reparations**

58. The itinerant campaign of communication and dissemination of the symbolic euro award ceremony that took place in March 2021 continued moving forward in March 2023. During the mission of the Trust Fund for Victims in Timbuktu held during the reporting period at the beginning of March 2023, a screening session was organised for women only on the occasion of International Women's Day. The session was organised in coordination with women's grassroots organisations and gathered about 105 women.

59. Four film screenings were then organised in March 2023, with the support of CFOGRAD and the memorialisation committees, in several sectors of the city of Timbuktu, namely Kabara, Belaferandi, Sankore, Djingareyber. Debates with the participants followed each film screening, and were focused on capturing the views and concerns of the Malian population with regard to reparations measures implemented in this case.

60. The itinerant campaign went then to Gao and two screenings in two different sectors of the town (Gao Chateau and Gao 4ème quartier) were organised on 18 and 19 March 2023.

61. In total, the itinerant campaign covered 20 localities in Mali and reached out to more than 1950 persons. Additional ten screenings will be organised in the city of Bamako in the coming months.

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<sup>14</sup> Updated Implementation Plan, paras 101 and 104.

<sup>15</sup> Decision on the Updated Implementation Plan from the Trust Fund for Victims, 4 March 2019, ICC-01/12-01/15-324-Conf, paras 14, 17 and 18.



#### **D. Gender mainstreaming**

62. In order to ensure the equal participation of women in the reparation measures, the Trust Fund has continued to implement specific measures to mainstream gender into its initiatives and avoid exacerbating gender-based inequalities already present. In the reporting period, this was implemented through the participation of female masons in the training organised by UNESCO, and the establishment of a quota for the selection of women's organisations for microproject funding as part of the ERF.

#### **E. Institutional strengthening**

63. The new Executive Director of the Trust Fund for Victims assumed her duties on 1 May 2023. The Executive Director is in the process of being briefed on the reparations programme, and informed on the progresses and other issues of relevance to the implementation of reparations in the present case.

### **V. CONCLUSION**

64. The Trust Fund for Victims respectfully requests the Trial Chamber to take note of the present report. Furthermore, the Trust Fund respectfully requests the Trial Chamber to specifically take note and, shall it deem it necessary, formally endorse the activities presented in paragraphs 24, and 51 to 57 of the present report, and its Annexes. The Trust Fund stands ready to provide clarification on any information provided in the present submission or on any other issue affecting the implementation phase of reparations in the present case.



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Deborah Ruiz Verduzco

Executive Director of the Trust Fund for Victims,

Dated this 4 September 2023

(Date of original: 6 of June 2023)

At The Hague, The Netherlands