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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 "Forty-First Update Report on the Updated
Implementation Plan", ICC-01/12-01/15-491-Conf, 29 October 2026,
with confidential Annex A**

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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| ☐ The Office of the Prosecutor | ☐ Counsel for the Defence |
| ☐ Legal Representatives of the Victims | ☐ Legal Representatives of the Applicants |
| ☐ Unrepresented Victims | ☐ Unrepresented Applicants (Participation/Reparation) |
| ☐ The Office of Public Counsel for Victims | ☐ The Office of Public Counsel for the Defence |
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- EOSS
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I. BACKGROUND

1. The Trust Fund for Victims (TFV) hereby submits its Forty-First 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 July 2026, the TFV submitted its Fortieth Update Report ("Fortieth Update Report").³

2. The present report covers the period from 30 July 2026 to 29 October 2026.

3. The Registry's situational overview concerning Mali covering the period from 9 July to 13 October 2026 (Country Analysis Unit Report) has been included for the information of the Trial Chamber in confidential Annex A.

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 annex 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 Court or the TFV's activities in Mali. A public redacted version of the present report will be submitted in due course.

III. POST-IMPLEMENTATION ACTIVITIES

5. During this reporting period, the TFV carried out a number of post-implementation activities in Bamako and Timbuktu, namely relating to (A) the closure of the programme; (B) management of the feedback mechanism; (C) a final evaluation of the reparations programme; and (D) a stocktaking exercise including a workshop.

A. CLOSURE OF THE PROGRAMME

6. The TFV has continued the closure process for the programme, encompassing the contractual closure of agreements with implementing partners and a comprehensive review of the programme's final financial position. This process includes the review of implementing partners' final narrative and financial reports, external evaluations and audit reports relevant to

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 Fortieth Update Report on the Updated Implementation Plan, with confidential Annexes A and B, 29 July 2026, ICC-01/12-01/15-490-Conf ("Fortieth Update Report"). A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/hvlrr6me/>.

the Economic Resilience Facility implemented by the TFV with implementing partner CIDEAL; the reconciliation of expenditure; the liquidation of assets and collection of relevant materials; and the calculation and return of any unspent funds.

7. The TFV is working towards establishing the final financial position of the programme, which will be presented to the Chamber in its final report. This report will also address the treatment of any remaining funds and, where appropriate, make recommendations concerning residual measures or activities,⁴ taking into account the objectives of the reparations ordered by the Chamber and the interests of victims.

B. MANAGEMENT OF THE FEEDBACK MECHANISM

8. 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.⁵

9. Although the feedback mechanism remains in place, no calls concerning the *Al Mahdi* reparations programme were received during the reporting period, as the programme has been completed. All calls received during the reporting period concerned the *Al Hassan* case.

C. EVALUATION

10. The TFV continued to support the independent external evaluation of the reparations programme in the *Al Mahdi* case, conducted by a research team from the University of Edinburgh in partnership with researchers from other universities. The final evaluation builds on the findings of the independent mid-term external evaluation, conducted primarily between July and September 2023, when the reparation programme was concluding the implementation of individual reparations and beginning to implement the projects approved as part of the collective reparations.

11. The final evaluation aims to systematically assess the achievements of the reparations programme, as well as the challenges encountered during its implementation, and to formulate recommendations to inform the design and implementation of future reparation programmes.

⁴ See, e.g., on the funds set aside for victims eligible for individual reparations awards who could not be reached: Thirty-eight 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-eight Update Report”), para. 6. A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/ygo33lou/>.

⁵ Thirty-first update report on the updated implementation plan, 29 April 2024, ICC-01/12-01/15-474-Conf-Exp, paras 94-96.

12. During the reporting period, the TFV worked with the external evaluators on the evaluation methodology and reviewed the inception report. [REDACTED].

13. As with the mid-term evaluation, the external evaluators engaged with an evaluation reference group consisting of academics, civil society representatives and practitioners, which serves as a consultative body to support the evaluation process. The group, comprising 22 members, helps ensure that the evaluation is informed by a range of perspectives and is comprehensive and relevant. On 31 July 2026, the evaluators met with the reference group to present the evaluation methodology and gather feedback.

14. Data collection took place in September and October 2026. From 2 to 20 September 2026, a questionnaire survey was conducted, reaching 1,417 respondents. This was followed by 23 interviews and focus group discussions: ten focus groups with beneficiary associations, three with neighbourhood groups, one with a group of residents, six individual interviews, and three interviews with institutional stakeholders, including representatives of the mausolea, the municipal authorities and the municipal museum. Participants came from a range of neighbourhoods, including Sareykeina, Djingareyber, Hammabangou, Abaradjou, Bellafarandi, Kabara, Sankoré, Bokiyate, and Bajindé. A total of 155 persons participated in the interviews and focus groups, including 85 women and 70 men.

15. [REDACTED].

16. The analysis of the data and the drafting of the report are ongoing. The final evaluation report is expected to be annexed to the TFV's final report on the implementation of reparations in the present case.⁶

D. LESSONS LEARNED FROM THE *AL MAHDI* REPARATIONS – HYBRID WORKSHOP

17. As part of its commitment to institutional learning,⁷ on 23 and 24 September 2026, the TFV engaged in a two-day workshop entitled “Reparations for Cultural Destruction: Lessons from Timbuktu and Implications for Future Implementation” convened by Dr Dacia Viejo-Rose, Director of the Cambridge Heritage Research Centre, and Dr Jean-Benoît Falisse, Co-Director of the Centre of African Studies at the University of Edinburgh.⁸ The workshop took

⁶ See Thirty-ninth Update Report, 29 April 2026, ICC-01/12-01/15-488-Conf, (“Thirty-ninth Update Report”), para. 43. A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/xi5115y1/>. See also Forty Update Report, paras 11-12.

⁷ See Thirty-eighth Update Report, para. 130. A public redacted version of this filing is available at: <https://www.legal-tools.org/doc/ygo33lou/>. See also Thirty-ninth Update Report, paras 44-48.

⁸ See “Implementing Reparations for Cultural Heritage Destruction, The Case of Timbuktu, Mali, the International Criminal Court and the Trust Fund for Victims”, at <https://www.heritage.arch.cam.ac.uk/implementing-reparations-cultural-heritage-destruction> (accessed on 29 October 2026).

place concurrently in Cambridge, Timbuktu and Bamako, as well as online, bringing together practitioners, policymakers, cultural heritage specialists, victim representatives, academics and ICC representatives to reflect on the implementation of the reparations programme in the *Al Mahdi* case, the first ICC case involving a conviction and reparations for the destruction of cultural heritage as a war crime. Around 40 persons attended in Cambridge, with further attendees joining in person in Bamako, Timbuktu and online. The workshop was officially opened by ICC Judge Kimberly Prost.

18. The workshop programme drew on existing and ongoing internal and independent assessments of the *Al Mahdi* reparations and was structured around four interrelated objectives: (i) consolidating and communicating lessons learned on what worked, what did not, and why; (ii) co-developing practical, context-sensitive guidance to address known implementation challenges (for example, balancing confidentiality and transparency; victim identification; handling grievances; ensuring gender sensitivity and safeguarding; operating in contexts of insecurity; ensuring the complementarity of symbolic, individual, and collective measures); (iii) securing institutional commitments to adopt specific improvements; and (iv) establishing a network for continued exchange and learning on reparations for cultural heritage-related harm.

19. The workshop's hybrid format enabled participants in Cambridge to hear directly from representatives of the affected communities in Timbuktu, while allowing those representatives to witness first-hand the interest generated by their reparations experience within the academic community. Discussions turned around the lessons learned from the reparations programme, and explored victim participation, the relationship between individual and collective reparations, and the psychosocial and societal dimensions of harm to cultural heritage.

20. The discussions underscored the importance of recognising cultural heritage as integral to community identity, social cohesion and recovery. Participants emphasised the need to understand the broader social harm caused by the destruction of cultural heritage and to develop meaningful measures of reparation and recovery that extend beyond the physical rehabilitation of damaged buildings. The workshop also highlighted that reparations programmes are multi-stakeholder and complex processes that require both anticipation and attention to how effects can be made sustainable. Against the backdrop of the continued deliberate destruction of cultural heritage, participants stressed the importance of translating lessons learned into practical guidance and improvements in the design and implementation of reparations programmes. Comparative perspectives from Ukraine, Iraq, Sudan and Colombia contributed to the discussion on how these lessons may inform reparations in other contexts.

21. The workshop also provided an opportunity to strengthen engagement among the TFV, researchers and practitioners, and to identify how lessons learned will inform future reparations programmes led by the TFV and other bodies. The workshop was complemented by a photo exhibition and a film screening on the destruction of cultural heritage in Timbuktu and the reparations programme implemented in response.

IV. [REDACTED]

22. [REDACTED],⁹ [REDACTED].

23. [REDACTED]¹⁰ [REDACTED].¹¹

24. [REDACTED].¹² [REDACTED].

V. OTHER DEVELOPMENTS

25. The TFV respectfully draws the Chamber's attention to the UNESCO World Heritage Committee's decision concerning Timbuktu, Mali (48 COM 7A.38), adopted at its 48th session in 2026.¹³ The Committee acknowledged progress in conservation and rehabilitation, and "[p]articularly welcome[d] the vital support of the "Rehabilitation and enhancement of protected buildings in Timbuktu" project, funded by the International Criminal Court (ICC) Trust Fund for Victims, which has notably allowed for the establishment of a Coordination Committee between the mausoleum managers, the management committees of the mosques and other community and technical stakeholders as well as their capacity-building, the reinforcement of the enclosing walls of the cemeteries of the Three Saints and the recruitment of caretakers, but [indicated that it] is concerned by the long-term sustainability of these measures beyond the project's funding, and encourage[d] the State Party to continue its efforts to achieve the objectives of the corrective measures".¹⁴ It decided to continue the Reinforced Monitoring Mechanism and to retain Timbuktu on the List of World Heritage in Danger.¹⁵

VI. REPORTING TO THE CHAMBER

26. Following completion of the reparations programme, and in the absence of any further implementation activities, the TFV's next report to the Chamber in the present case will be its final report on the implementation of reparations.

⁹ [REDACTED].

¹⁰ [REDACTED].

¹¹ [REDACTED].

¹² [REDACTED].

¹³ UNESCO World Heritage Committee, *Decision 48 COM 7A.38, Timbuktu (Mali)*, in *Decisions adopted at the 48th session of the World Heritage Committee (Busan, 2026)*, WHC/26/48.COM/16 (2026), at https://whc.unesco.org/en/decisions/?id_decision=9027 (accessed on 29 October 2026).

¹⁴ *Ibid.*, para. 4.

¹⁵ *Ibid.*, paras 12-13.

IN CONCLUSION,

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



Deborah Ruiz Verduzco
Executive Director of the Trust Fund for Victims

Dated this 30th Day of October 2026

At The Hague, The Netherlands