



Original: **French**

No.: **ICC-01/12-01/15**  
Date: **2 December 2016**

**TRIAL CHAMBER VIII**

**Before:** Judge Raul C. Pangalangan, Presiding Judge  
Judge Antoine Kesia-Mbe Mindua  
Judge Bertram Schmitt

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

**Public Document**

**Joint observations of FIDH and AMDH on the reparations proceedings**

**Source:** *Fédération internationale des ligues des droits de l'Homme (FIDH)*  
and *Association malienne des droits de l'Homme (AMDH)*

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

**Office of the Prosecutor**

Ms Fatou Bensouda  
Mr James Stewart  
Mr Gilles Dutertre

**Counsel for the Defence**

Mr Mohamed Aouini  
Mr Jean-Louis Gilissen

**Legal Representatives of Victims**

Mr Mayombo Kassongo

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparations**

**Office of Public Counsel for Victims**

**Office of Public Counsel for the  
Defence**

**States' Representatives**

Competent authorities of the  
Republic of Mali

**Amicus Curiae**

**REGISTRY**

---

**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

Ms Isabelle Guibal

**Other**

Trust Fund for Victims

## I. INTRODUCTION

1. The *Fédération internationale des ligues des droits de l'Homme* [International Federation of Human Rights Leagues] (FIDH) and its member organisation in Mali, the *Association Malienne des Droits de l'Homme* [Human Rights Association of Mali] (AMDH), hereby submit their joint observations on the reparations phase, in accordance with the Chamber's Decision of 25 October 2016<sup>1</sup> and pursuant to article 75(3) of the Rome Statute and rule 103 of the Rules of Procedure and Evidence.
2. These observations will address the following issues:<sup>2</sup> (i) the identification of the categories of victims affected by the crime of which Mr Al Mahdi was convicted; (ii) the presentation of the different types of harm suffered by victims as a consequence of that crime; and (iii) the methodology to be adopted for the design and implementation of reparations, with particular emphasis on the process of consultation with the communities concerned.

## II. PROCEDURAL BACKGROUND

3. On 27 September 2016, the Chamber convicted Ahmad Al Mahdi of the war crime of attacking protected objects under article 8(2)(e)(iv) of the Statute.<sup>3</sup>
4. The Chamber convicted Ahmad Al Mahdi as a co-perpetrator under article 25(3)(a) of the Statute of having attacked the following religious and cultural monuments in Timbuktu between around 30 June 2012 and 11 July 2012: (i) the Sidi Mahamoud Ben Omar Mohamed Aquit Mausoleum; (ii) the Sheikh Mohamed Mahmoud Al Arawani Mausoleum; (iii) the Sheikh Sidi El Mokhtar Ben Sidi Mouhammad Al Kabir Al Kounti Mausoleum; (iv) the Alpha Moya Mausoleum; (v) the Sheikh Mouhamad El Mikki Mausoleum; (vi) the Sheikh Abdoul Kassim Attouaty Mausoleum; (vii) the

<sup>1</sup> "Decision on Application by Queen's University Belfast Human Rights Centre, the Redress Trust, the FIDH and AMDH to submit *amicus curiae* observations (ICC-01/12-01/15-175 and ICC-01/12-01/15-176)", 25 October 2016, ICC-01/12-01/15-178.

<sup>2</sup> As indicated in the "*Demande de la FIDH et de l'AMDH aux fins de déposer des observations conjointes sur la procédure de réparations*", 21 October 2016, ICC-01/12-01/15-176.

<sup>3</sup> "Judgment and Sentence", 27 September 2016, ICC-01/12-01/15-171.

Sheikh Sidi Ahmed Ben Amar Arragadi Mausoleum; (viii) the door of the Sidi Yahia Mosque; and the two mausoleums adjoining the Djingareyber Mosque, namely (ix) the Ahmed Fulane Mausoleum and (x) the Bahaber Babadié Mausoleum.<sup>4</sup> The Chamber then sentenced Ahmad Al Mahdi to nine years of imprisonment.<sup>5</sup>

5. In total, eight victims participated in the trial proceedings against Ahmad Al Mahdi.<sup>6</sup>
6. On 29 September 2016, the Chamber issued the Reparations Phase Calendar, which included the following provision:

The parties, Prosecution, Registry, Trust Fund for Victims and Malian authorities are invited to make general submissions of up to 50 pages on the reparations proceedings in this case by 2 December 2016. Any applications pursuant to Rule 103 of the Rules to file similar submissions must be filed by 21 October 2016.<sup>7</sup>

7. On 21 October, FIDH and AMDH filed their application requesting leave to submit observations.<sup>8</sup> On 25 October 2016, the Chamber granted this request.<sup>9</sup>

---

<sup>4</sup> *Ibid.*, para. 63.

<sup>5</sup> *Ibid.*, para. 109.

<sup>6</sup> “Public redacted version of ‘Decision on Victim Participation at Trial and on Common Legal Representation of Victims’”, ICC-01/12-01/15-97-Red; “Public redacted version of ‘Second Decision on Victim Participation at Trial’”, ICC-01/12-01/15-156-Red; “Notification of a Request for Withdrawal of an Application for Participation”, ICC-01/12-01/15-159.

<sup>7</sup> “Reparations Phase Calendar”, 29 September 2016, ICC-01/12-01/15-172, para. 2 (iii).

<sup>8</sup> “*Demande de la FIDH et de l’AMDH aux fins de déposer des observations conjointes sur la procédure de réparations*”, 21 October 2016, ICC-01/12-01/15-176.

<sup>9</sup> “Decision on Application by Queen’s University Belfast Human Rights Centre, the Redress Trust, the FIDH and AMDH to submit *amicus curiae* observations (ICC-01/12-01/15-175 and ICC-01/12-01/15-176)”, 25 October 2016, ICC-01/12-01/15-178.

### III. IDENTIFICATION OF VICTIMS AFFECTED BY THE CRIME OF WHICH MR AL MAHDI WAS CONVICTED

8. Rule 85(1) of the Rules of Procedure and Evidence defines “victims” as “natural persons who have suffered harm as a result of the commission of any crime within the jurisdiction of the Court”, while rule 85(2) clarifies that this may also include “organizations or institutions that have sustained direct harm to any of their property which is dedicated to religion, education, art or science or charitable purposes, and to their historic monuments, hospitals and other places and objects for humanitarian purposes”.
9. In the “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law”, victims are defined as:
- persons who individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that constitute gross violations of international human rights law, or serious violations of international humanitarian law. [...] [T]he term “victim” also includes the immediate family or dependants of the direct victim [...] who have suffered harm [...].<sup>10</sup>
10. Accordingly, FIDH and AMDH wish respectfully to remind the Chamber that direct and indirect victims have a right to reparations for harm they have suffered. This is recognised in the aforementioned Basic Principles and further echoed by the Appeals Chamber’s holding in *Lubanga* that the Trial Chamber’s order for reparations must define the harm suffered by “direct and indirect victims”.<sup>11</sup>
11. Moreover, our organisations emphasise that the crime of which Mr Al Mahdi was convicted had an effect not only on individuals but on a community as a whole. A community, understood in this case as a group of people living in one place, may be

<sup>10</sup> Principle 8, Resolution 60/147 adopted by the United Nations General Assembly on 16 December 2005.

<sup>11</sup> “Judgment on the appeals against the ‘Decision establishing the principles and procedures to be applied to reparations’ of 7 August 2012”, Appeals Chamber, 3 March 2015, ICC-01/04-01/06-3129, paras. 183-184.

granted victim status and may be eligible to receive reparations. Thus, in *Lubanga*, the Appeals Chamber noted that

certain crimes may have an effect on a community as a whole. [...] [I]f there is a sufficient causal link between the harm suffered by members of that community and the crimes of which Mr Lubanga was found guilty, it is appropriate to award collective reparations to that community".<sup>12</sup>

12. In its analysis of the gravity of the crime in the case against Mr Al Mahdi, the Chamber also recalled the effect that the destruction of these monuments had on the people of Timbuktu and, more generally, on the people of Mali and the international community:

Timbuktu is at the heart of Mali's cultural heritage, in particular thanks to its manuscripts and to the mausoleums of the saints. The mausoleums reflected part of Timbuktu's history and its role in the expansion of Islam [...]. [...] [T]he targeted buildings were not only religious buildings but had also a symbolic and emotional value for the inhabitants of Timbuktu [...]. [...] Furthermore, all the sites but one [...] were UNESCO World Heritage sites and, as such, their attack appears to be of particular gravity as *their destruction does not only affect the direct victims of the crimes, namely the faithful and inhabitants of Timbuktu, but also people throughout Mali and the international community*.<sup>13</sup>

13. Given where our organisations' expertise lies, we will limit our observations to the different victims in Mali who suffered harm as a result of the crime of which the Chamber convicted Mr Al Mahdi. This is without prejudice to the recognition of other victims outside Mali, including the international community as such.

*"Guardian families"*

14. Each mausoleum is protected by a "guardian family" with responsibility for its upkeep and stewardship. An attack against a mausoleum is thus a direct attack against that mausoleum's guardian family.
15. The mausoleums are monuments erected over the tombs of saints – pious men, figures of the history of Islam – idolised in Timbuktu and beyond. The "guardian families" are the families of the descendants of those saints, or third persons designated by the descendants' families to attend to the upkeep of the mausoleums.

<sup>12</sup> *Ibid.*, para. 212.

<sup>13</sup> "Judgment and Sentence", ICC-01/12-01/15-171, paras. 78-80, emphasis added.

One of the guardian families' roles is to clean and restore the mausoleums (regularly, owing to climate conditions in the region) while another is to watch over them at all times to ensure that visitors do not damage or harm the sacred monuments in any way.

16. Guardian family status is passed down from generation to generation and forms an integral part of the city's social system. Some of these families build their burial places around the mausoleums they protect.

*Families whose burial places next to the mausoleums were damaged*

17. Some of the burial places adjacent to the mausoleums were damaged or destroyed when the mausoleums were destroyed. Although these acts of destruction were not cited in the charges against Mr Al Mahdi, our organisations consider them to be consequences of the crime for which Mr Al Mahdi was convicted. The record clearly shows that the damage to the burial places resulted from the destruction of the mausoleums, the only monuments Mr Al Mahdi and his men were in fact targeting. Even though Mr Al Mahdi apparently did not intend to damage or destroy them, the burial places were damaged because they are near the scene of the crime. Consequently, the families to whom the burial places belong must be considered to have suffered personal harm due to the destruction of the mausoleums for which Mr Al Mahdi was convicted.

18. As explained above, the families who built their burial places around the mausoleums are ordinarily the guardian families of those mausoleums. Therefore, these two categories of victims should, in point of fact, be composed of the same families.

*The people of Timbuktu*

19. The mausoleums are a part of the heritage and identity of the city of Timbuktu, and, in that sense, an attack on them is also an attack on all of Timbuktu's inhabitants.

20. In its Judgment, the Chamber noted the bond between Timbuktu's people and its mausoleums:

Timbuktu is at the heart of Mali's cultural heritage, in particular thanks to its manuscripts and to the mausoleums of the saints. The mausoleums reflected part of Timbuktu's history and its role in the expansion of Islam. They were of great importance to the people of Timbuktu, who admired them and were attached to them. They reflected their commitment to Islam and played a psychological role to the extent of being perceived as protecting the people of Timbuktu. [...] The mausoleums were among the most cherished buildings of the city and they were visited by the inhabitants of the city, who used them as a place for prayer while some used them as pilgrimage locations. [...] [t]he targeted buildings were not only religious buildings but had also a symbolic and emotional value for the inhabitants of Timbuktu [...]."<sup>14</sup>

21. The saints are celebrated individuals who are renowned for their scholarship and moral probity. They are figures of the history of Islam and of Timbuktu, where each saint is venerated for a particular sphere of social and/or economic life. The inhabitants trust in them, visiting their mausoleums to offer prayers relating to marriage, circumcision, rain or good fortune, for example. The saints are role models and protectors.
22. It is also important to note that these beliefs and practices are shared by the people of Timbuktu as a whole and are not associated with any particular community or group in the city.

*The people of Mali*

23. AMDH and FIDH similarly recall that the mausoleums are a part of the cultural heritage and identity of the country as a whole. The Chamber recognised this, moreover, when it noted that "Timbuktu is at the heart of Mali's cultural heritage".<sup>15</sup>
24. Indeed, all of Timbuktu's mausoleums are on the national heritage list. Their significance reaches beyond the confines of the city. Timbuktu plays a central role in the history of Mali and Islam – its mausoleums are known to all Malians and constitute a crucial piece of the country's identity.

---

<sup>14</sup> *Idem.*

<sup>15</sup> *Ibid.*, para. 78.



25. As a result, we can consider that the people of Mali, as a community, suffered harm arising from the destruction of monuments belonging to the country's national heritage and counted among the most revered and well known in Mali.

*Legal entities*

26. A number of legal entities also suffered individual harm as a result of the destruction of the mausoleums in Timbuktu. Our organisations have identified two legal entities which should be granted victim status and could be eligible for reparations in these proceedings: the office of the Timbuktu Cultural Mission and the municipal government of Timbuktu.
27. The Timbuktu Cultural Mission was established by Decree 93-203 in June 1993. Its purpose is to assist the Ministry of Culture in its tasks relating to the preservation and development of national cultural heritage sites in Timbuktu. The Timbuktu Cultural Mission is thus the public authority with ultimate responsibility for the stewardship of the mausoleums in question in these proceedings. It supervises their conservation, management and promotion. For example, before beginning any restoration work on the mausoleums, guardian families are required to obtain the Cultural Mission's consent in order to ensure that the work is consistent with the integrity and conservation of the site.
28. The municipal government of Timbuktu oversees the interests and smooth running of the city as a whole. That includes managing and maintaining public spaces such as the cemeteries in which many of the mausoleums are located. The municipal government works closely with the Cultural Mission on all cultural-heritage-related aspects of city management – by means of technical consultations and permit requests, for example – *inter alia* on any activities or work undertaken in the Old Town of Timbuktu, a national heritage site.

#### IV. PRESENTATION OF THE DIFFERENT TYPES OF HARM SUFFERED BY VICTIMS

29. The most direct and obvious harm with regard to the war crime of attacking protected objects, for the purposes of article 8(2)(e)(iv) of the Statute, is destruction of or damage to property – in other words, material harm. The direct material harm in this case is the destruction of nine mausoleums and the door of the Sidi Yahia mosque in Timbuktu.
30. AMDH and FIDH maintain, however, that the more significant harm in this case, and that which persists to this day, is the mental and psychological harm suffered by the entire community – by the inhabitants of Timbuktu and the people of Mali as a whole.

##### *Mental and psychological harm*

31. The destruction of the mausoleums caused mental and psychological harm to the guardian families of those mausoleums, who were traumatised by the events.
32. The guardian families describe their bond with the mausoleums as emotional and abiding. They hold them so sacred that an offence against the mausoleums is unthinkable, a heinous offence against God and Islam and also their own ancestors. The mausoleums are considered sacred and inviolable.
33. Our organisations recorded the case of one guardian who experienced a breakdown as a result of the destruction of the mausoleum in his charge. The monument most sacred to him had been demeaned, and this was more than he could stand.
34. More broadly, the people of Timbuktu at large suffered from the destruction of these buildings. As described in paragraphs 23-25 above, the mausoleums carry immense symbolic and emotional value for the city's inhabitants.

35. The people of Timbuktu view the saints as intercessors between humankind and God. They appeal to them to see their prayers granted. The mausoleums have become places of pilgrimage, where the inhabitants come to pray.
36. The saints are also the protectors of the city. Hence the inhabitants' shock when armed groups occupied Timbuktu, since, to many of them, such an attack on the city's inviolacy should have been impossible with the saints watching over it. The occupation of the city and the destruction of the mausoleums consequently ushered in a feeling of bewilderment and despair as people realised that the saints had been powerless to prevent these crimes.
37. Consequently, the people of Timbuktu suffered significant mental and psychological harm as a result of the mausoleums' destruction. Our organisations have noted that some people even left Timbuktu because they could not endure the pain of seeing the mausoleums in ruins.
38. Lastly, the mental and psychological harm does not end at the gates of Timbuktu: in fact, this crime affected and shocked everyone in Mali. Many have described their suffering from the attack on Timbuktu, characterising it as "[TRANSLATION] a wound upon their dignity", "[TRANSLATION] an insult to Islam" or "[TRANSLATION] the loss of a legend, of a people's hope".

#### *Material harm*

39. As mentioned above, the direct material harm is the destruction of the buildings, for which Mr Al Mahdi was convicted. However, all the mausoleums and the mosque door have now been restored with UNESCO's help.
40. Nonetheless, it is up to the Chamber to determine Mr Al Mahdi's liability for material reparation of the mausoleums in the light of his participation in the crime, according to the jurisprudence established by the ICC Appeals Chamber in *Lubanga*.<sup>16</sup>

---

<sup>16</sup> "Judgment on the appeals against the 'Decision establishing the principles and procedures to be applied to reparations' of 7 August 2012", Appeals Chamber, 3 March 2015, ICC-01/04-01/06-3129, paras. 99-119.

Third-party reparation of the harm cannot and must not affect the determination of Mr Al Mahdi's liability for reparation of the harm caused by the crime of which he was convicted.

41. Moreover, when the mausoleums were destroyed, certain burial places adjacent to them were also damaged or destroyed. The burial places have not been restored. For the families to whom the burial places belong, this is a source of deep pain, to which there is also a psychological dimension because many of their family members were interred in the burial places near the mausoleums.
42. Lastly, our organisations are keen to note that other buildings were destroyed or damaged while the city was occupied, although these crimes were not the subject of prosecution by the Office of the Prosecutor. Among the buildings destroyed were the office of the Timbuktu Cultural Mission and the El Farouk monument. The latter had been erected by the municipality and was one of the jewels of Timbuktu. Our organisations fully understand that these acts of destruction do not constitute direct harm resulting from the crimes of which Mr Al Mahdi was convicted, but we urge the Trust Fund for Victims to take them into account when fulfilling its assistance mandate.

*Economic harm*

43. The guardian families of the mausoleums lost a source of income as a result of the destruction of the mausoleums. It is customary for visitors and pilgrims to a monument to leave an offering of money for the guardian. This provides a daily allowance for the families who protect and maintain the mausoleums.
44. That being said, our organisations wish to note that these offerings of money are more often symbolic than consequential and that losing this daily allowance generally had a limited impact on the families' income.

## V. METHODOLOGY TO BE ADOPTED FOR THE DESIGN AND IMPLEMENTATION OF REPARATIONS, WITH EMPHASIS ON THE ISSUE OF CONSULTATION WITH THE COMMUNITIES CONCERNED

### *Consulting with the communities concerned*

45. Consultation with the people concerned is crucial at every stage of the reparations process, especially when it comes to determining, designing and implementing reparations.<sup>17</sup>
46. AMDH and FIDH wish to draw also on their field experience in the city and with the victims of the crimes committed while it was occupied, to suggest a certain methodology for use during the process of consultation with the inhabitants of Timbuktu.

### *Working through existing organisations*

47. Local organisations will be essential partners in the effort to set up consultations with the people of Timbuktu. They can make it easier to reach affected communities because they have a special, direct connection to them. They will also be able to obtain valuable information and sound advice on the security situation, the city's economic and social structure, the inhabitants' ways and customs, and other factors. The aim is to organise consultations with the entire community concerned – not discriminating in any way – smoothly and in a manner appropriate to the local context.
48. Furthermore, the United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence has asserted that: “Civil society organizations may have closer links with and a deeper reach into victims’

---

<sup>17</sup> On this point, also see the submissions of the United Nations in *Katanga*: “United Nations Joint Submission on Reparations”, 14 May 2015, ICC-01/04-01/07, paras. 23-29, “Reparations should be guided by the consultations with the victims”.

communities than official institutions, which is why completeness can hardly be achieved without their active efforts.”<sup>18</sup>

49. The *Réseau régional des associations des victimes des évènements du Nord* [Regional Network of Northern Mali Victims’ Associations] (2RAVEN) is a good fit in this case because it enjoys local recognition and serves as a focal point for other organisations.
50. The Timbuktu Cultural Mission, besides being a victim in its own right, is also an institution that may be called upon to help organise safe, coordinated access to the families in charge of the mausoleums.

*Adapting to the precarious security situation*

51. The security situation in Timbuktu remains precarious. Several armed groups are active in central and northern Mali, and local authorities – including the judiciary – have not yet resumed functioning properly in all provinces. Security for the civilian population continues to represent a major challenge in northern Mali as a result.<sup>19</sup>
52. Given the security situation, our organisations stress the importance of taking every measure to ensure people’s safety during the consultation process. Working with existing local organisations as intermediaries, as described above, is one such necessary measure.
53. Other measures may be contemplated, in particular to identify the safest possible meeting places. Different places may be safer for different people – some will feel more secure at home, for example, while others will prefer to meet at a religious or customary leader’s dwelling.

---

<sup>18</sup> Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Mr Pablo de Greiff, 14 October 2014, A/69/518, para. 74.

<sup>19</sup> For more on the security situation in Mali, see in particular the latest FIDH-AMDH position paper, “Mali: peace threatened by insecurity, impunity and the fight against terrorism”, 19 February 2016, available at [https://www.fidh.org/IMG/pdf/cp\\_mali\\_19february2016.pdf](https://www.fidh.org/IMG/pdf/cp_mali_19february2016.pdf) and the press release issued just recently by the United Nations Independent Expert on the situation of human rights in Mali, Mr Suliman Baldo, “Mali: ‘l’insécurité grandissante met en péril les droits fondamentaux des Maliens’”, 16 November 2016, at:

<http://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=20874&LangID=F>

54. If representatives of organisations or victims need to travel from Timbuktu to Bamako, they should be encouraged to fly – as air remains the safest mode of transport.
55. Lastly, introducing the communities concerned to some basic rules of confidentiality – especially about meeting places, the purpose of travel, etc. – is another way of minimising risks to personal safety.

*Taking the specific local context into account*

56. It is crucial for those in charge of community consultations to take into account the religious and cultural context in Timbuktu. This will ensure that all persons concerned, without discrimination, are consulted and that consultations are conducted appropriately and respectfully with regard to local ways and customs. It will also help to establish a mutual understanding. If consultations are not tailored to the local context, they cannot achieve their goal, namely to canvass the views of the communities concerned in order to ensure that reparations are fitting and effective.
57. On this point, United Nations Special Rapporteur Pablo de Greiff noted that

[v]ictim participation in reparation programmes is not possible without effective outreach, information and access. Strategies need to be designed in order to overcome cleavages related to differences between urban and rural populations, indigenous and other cultural and ethnic groups, linguistic factors and literacy rates.<sup>20</sup>

58. Accordingly, the choice of interviewer matters. In particular, people from Timbuktu will be more at ease conversing with someone of their own sex – women with women, men with men. It is also wise to take caution with interviewers' behaviour and attire. Communities will be more comfortable speaking if interviewers are considerate of local religious and cultural practices in that regard.
59. The mode of communication must also be appropriate to the local context. In this case, spoken communication must be preferred over written – radio is notably the most widespread information medium. Furthermore, the language used in

---

<sup>20</sup> Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Mr Pablo de Greiff, 14 October 2014, A/69/518, para. 76.

consultations must be the local community's native tongue. The two most commonly spoken languages in Timbuktu are Songhai and Arabic, although others are also used.

*Managing victims' expectations*

60. Lastly, our organisations note that while these communities have high expectations with regard to reparations many are unfamiliar with the ICC and reparations proceedings before it. There must be a clear understanding of the concept of reparations, as well as the limitations in this case and the procedural aspects involved, to avoid creating expectations that the ICC cannot meet.
61. That being so, the consultations must be combined with a serious effort to raise awareness among the affected communities. In particular, people must be informed of the crimes of which Mr Al Mahdi was convicted, the requirement for a link between those crimes and the harm suffered in order for reparations to be received, the types and terms of possible reparations measures, the time the proceedings may take, and other factors affecting the reparations process.

[signed]  
**Moctar Mariko**  
**President, AMDH**

[signed]  
**Dimitris Christopoulos**  
**President, FIDH**

Dated this 1 December 2016

At Bamako, Mali, and Paris, France