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Date: 16 June 2025

TRIAL CHAMBER X

Before: Judge Kimberly Prost, Presiding Judge
Judge María del Socorro Flores Liera
Judge Keebong Paek

SITUATION IN THE REPUBLIC OF MALI

***IN THE CASE OF THE PROSECUTOR v. AL HASSAN AG ABDOUL AZIZ
AG MOHAMED AG MAHMOUD***

Public

Redacted version of the Registry Submissions on Reparations

Source: Registry

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

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**Victims Participation and
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Other

Trust Fund for Victims

I. Introduction

1. The Registry hereby submits its observations on reparations in the case of the *Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud* (“Al Hassan case” and “Case”) pursuant to Trial Chamber X’s “Order for Submissions on Reparations” issued on 13 December 2024 (“Order”).¹ The Chamber had invited the Registry to make submissions on issues (a)² and (f)³ referred to in paragraph 6(i) of the Order, and granted permission to the Registry upon its request to address other issues referred to in paragraph 6(i) of the Order,⁴ by its “Decision on the Legal Representative of Victim’s and Registry’s requests for clarification” of 21 March 2025 (“Decision of 21 March 2025”).⁵

II. Classification

2. In accordance with regulation 23bis(2) of the Regulations of the Court, the present submission is classified as confidential *ex parte*, only available to the Registry, as it contains information related to [REDACTED]. A confidential redacted version as well as a public redacted version are being submitted at the same time to allow the Defence and the Legal representative of victims (“LRV”)

¹ Trial Chamber X, “Order for Submissions on Reparations”, 13 December 2024, ICC-01/12-01/18-2666, para. 8.

² Estimated total number of direct victims of the crime of persecution and the indirect victims of all crimes for which Mr Al Hassan was convicted.

³ Any legal and factual issues relevant to the identification of eligible victims.

⁴ This includes the types and extent of the harm suffered by the victims of the crimes for which Mr Al Hassan was convicted, citing to specific evidence (para. 6(i)(b)); whether recourse to factual presumptions should be considered (para. 6(i)(c)); types and modalities of reparations appropriate to address the harm suffered by the victims of the crimes for which Mr Al Hassan was convicted (para. 6(i)(d); concrete estimates as to the costs to repair the harms suffered by the victims in light of the proposed modalities for repairing them (para. 6(i)(e)); any victims or groups of victims who may require prioritisation in the reparations process (para.6(i)(g)); and information as to whether the victims of the crimes for which Mr Al Hassan was convicted have received any form of compensation or reparations for the harm suffered as a result of these crimes (para. 6(i)(h)).

⁵ Trial Chamber X, “Decision on the Legal Representative of Victim’s and Registry’s requests for clarification”, 21 March 2025, ICC-01/12-01/18-2699, paras 21-22.

to respond to the present submission by 16 July 2025, as ordered by the Chamber.⁶

III. Submissions

3. The Registry sets out its observations on the following issues as follows:

- (i) estimated total number of direct victims of persecution and the indirect victims of all crimes for which Mr Al Hassan was convicted (paragraphs 4 to 15);
- (ii) specification of the types and extent of the harm suffered by the victims of the crimes for which Mr Al Hassan was convicted, citing to specific evidence (paragraphs 16 to 19);
- (iii) whether recourse to factual presumptions should be considered (paragraphs 20 to 23);
- (iv) types and modalities of reparations appropriate to address the harm suffered by the victims of the crimes for which Mr Al Hassan was convicted (paragraphs 24 to 26); and
- (v) any legal and factual issues relevant to the identification of eligible victims (paragraphs 27 to 29).⁷

(i) *Registry observations on the estimated total number of direct victims of persecution and the indirect victims of all crimes for which Mr Al Hassan was convicted*⁸

- **Direct and indirect victims of all convicted crimes, except persecution**

4. The Registry has already provided in its submissions notified on 16 May 2025⁹ all information available to date concerning the 49 direct victims who suffered

⁶ [Order](#), para.11.

⁷ The Registry does not make submissions on issues (e), (g) and (h) (see *supra*, footnote 4) either because it lacks relevant information or because these issues fall within the specific purview of the LRV and/or the Trust Fund for Victims.

⁸ [Order](#), para. 6(i)(a).

⁹ "Second Joint Report pursuant to Trial Chamber X's "Order for Submissions on Reparations" (ICC-01/12-01/18-2666)", 16 May 2025, ICC-01/12-01/18-2725-Conf-Exp and its confidential redacted and public redacted versions submitted the same day (ICC-01/12-01/18-2725-Conf-Red and ICC-01/12-01/18-2725-Red).

from crimes, other than persecution, in the Case (“49 Victims”).¹⁰ The Registry reiterates its proposal to submit an updated report, which will also include any additional information available concerning the indirect victims linked to the 49 Victims.¹¹

b. Estimated total number of direct and indirect victims of persecution

5. Noting the Chamber’s finding that the entire population of Timbuktu city suffered from persecution,¹² the Registry has gathered various types of information to estimate, as accurately as possible, the population of Timbuktu city¹³ during the period of the said crime.

1) Estimated population of Timbuktu city

6. According to the local authorities, the population of Timbuktu Commune (urban area) in 2012 was 65,202.¹⁴ This figure is corroborated by the national census data¹⁵ closest to the period of the crimes for which Mr Al Hassan was convicted. In the 2009 census, the population of Timbuktu Commune (urban area) was recorded as 54,629 inhabitants (comprising 27,915 men and 26,714 women) across 9,376 households, with an average of 5,8 individuals per

¹⁰ [Order](#), para. 4; these 49 victims are listed in [Annex III to the Trial Judgment Decision](#) (ICC-01/12-01/18-2594-Anx3), see also Trial Chamber X, “Sentencing Judgment”, 20 November 2024, ICC-01/12-01/18-2662, paras 42 and 59.

¹¹ See *supra* footnote 9, para. 21.

¹² See Trial Chamber X, “Public redacted version of Trial Judgment”, 26 June 2024, ICC-01/12-01/18-2594-Red, paras 1564, 1574, 1657, 1728 (“[Trial Judgment](#)”); and [Sentencing Judgment](#), paras 50, 71, 77 see also Decision of 21 March 2025, para. 17.

¹³ The official administrative divisions of “Commune Tombouctou” are “Abaradjou, Badjendé, Bellafaradi, Djingareyber, Hamabangou, Kabara, Sankoré, Sareikaina.” See, [Recensement général de la population et de l’habitat du Mali \(RGPH 2009\)](#), page 254 (slide 271), accessed on 30 May 2025. See also [Decision of 21 March 2025](#), para. 17, in which the Chamber concurred with the Registry and the parties that Kabara is included within the geographical scope of the city of Timbuktu.

¹⁴ The information received by VPRS on 28 January 2025 from [REDACTED] included the number of inhabitants per locality (quartier) of the Commune of Timbuktu in 2012.

¹⁵ Mali has conducted five censuses to date: from 1 to 14 December 1976 ; from 1 to 14 April 1987 ; from 1 to 14 April 1998; from 1 to 14 April 2009 and from 15 June to 7 July 2022 (see [Recensement général de la population et de l’habitat du Mali](#), accessed on 30 May 2025).

household.¹⁶ In the 2022 census, the population of the Timbuktu region was recorded at 148,962 inhabitants (including 75,121 men and 72,817 women).¹⁷

7. The Registry notes that, due to the security crisis in northern Mali in 2012-2013, the population of Timbuktu city may have fluctuated during the temporal scope of the Case because of displacement, either within Mali or to other countries. Where possible, the Registry gathered information from external sources¹⁸ related to the displacement of individuals from Timbuktu city who may have experienced the occupation of the city between May 2012 and January 2013.¹⁹ However, it remains unclear from the information gathered and mentioning “Timbuktu” only, if it is related to individuals from the city of Timbuktu, or from the region of the same name (and which includes the city of Timbuktu).²⁰

¹⁶ [Recensement général de la population et de l’habitat du Mali \(RGPH 2009\)](#), p. 254 (slide 271), accessed on 30 May 2025.

¹⁷ [Recensement général de la population et de l’habitat du Mali 2022 \(RGPH 2022\)](#), in the document “ [rapport-etat-structure-population-rgph5-rgph.pdf](#)”, pp. 28-29 (slides 59-60), accessed on 30 May 2025. Specific information for each locality (villages/quartiers/fractions) within the commune, including the number of households, is however not provided.

¹⁸ [REDACTED].

¹⁹ At the time of some Registry’s requests (see *supra*, footnote 18) the scope of the Case, particularly the geographical scope, was defined by the Confirmation of Charges Decision (i.e. the charged crimes committed between 7 May 2012 and 28 January 2013 in the city of Timbuktu and in the Region of the same name, see p. 460 of the Confirmation of Charges Decision) (Pre-Trial Chamber I, “Rectificatif à la Décision relative à la confirmation des charges portées contre Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud”, 8 November 2019, ICC-01/12-01/18-461-Conf-Corr. A public redacted version was filed on 13 November 2019 ([ICC-01/12-01/18-461-Corr-Red](#))). Taking into account the evolution of the proceedings, the further Registry’s requests specified the geographical scope of Mr. Al Hassan conviction as of Timbuktu city.

²⁰ According to the International Organization for Migration (IOM) relying on several relevant sources, “in January 2012, the start of the armed rebellion in the North of Mali and the subsequent military coup caused a migration crisis of significant scope and size, both within and outside of Mali. As of the international military intervention in January 2013, 376,828 people had been displaced, including 228,920 (61%) internally displaced and 147,908 (39%) displaced into neighbouring countries.” With regards Malian refugees: IOM reported that before the international military intervention of 11 January 2013, UNHCR had registered 147,908 Malian refugees seeking shelter in neighbouring countries such as Niger (49,748), Burkina Faso (38,778 including Malian refugees from Timbuktu), Mauritania (54,259 including Malian refugees from Timbuktu) and to a lesser extent Algeria, Ivory Coast, Guinea and Senegal. However, IOM explained that the majority of refugees who fled between the beginning of March and the end of July 2012 settled in urban centres or in other spontaneous sites which explains the considerable numbers of unregistered urban refugees (i.e. for example in Mauritania with an estimated 15,000 Malians reportedly settled in Nouakchott as of 9 January 2013). It was also reported that very few Malians sought refuge outside the region (e.g. in the European Union countries). With regards internally displaced persons (IDPs): IOM reported that as of mid-January 2013, an estimated 228,920 persons had been internally displaced (with equal numbers of men and women, half of the population

This uncertainty applies in the same manner on information gathered about return of displaced persons to their areas of origin.²¹

8. Estimated data set the population of Timbuktu city in 2012 has been given by local authorities and amounts to 65,202 inhabitants.²² In a common project, the TFV and the VPRS engaged a ‘bureau d’étude’ – Voices that count- for a comprehensive mapping exercise in the spring of 2025. Based on the representative sample of the study (655), on the estimated number of current inhabitants above 18 years old in Timbuktu city (approximately 36,000 inhabitants)²³ and the intermediary findings of the study, the estimated number of people who are currently living in Timbuktu city and that suffered and experienced some form of harm from the imposed new rules and prohibitions

was under 18 years old, and two-thirds were displaced from the North to the South of Mali), and that new displacements occurred mostly between March and July 2012 (62% of the total), and reached a peak in April 2012 after rebels gained control of the cities of Timbuktu and Gao, from where most of the IDPs were directly coming from. Most of the IDPs who fled the North to the South settled in urban centers and have been living with host families or in rented housing which explain the absence of IDP camps ([IOM Mali: *The Mali Migration Crisis at a Glance, March 2013*](#), pp. 6-7, accessed on 13 June 2025) (see also the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), OCHA Mali: Humanitarian snapshot, as of 14 January 2013; OCHA Mali: Humanitarian snapshot, as of 23 May 2013; OCHA: Mali: Humanitarian snapshot, as of 9 September 2014; as well as OCHA: *Mali: Armed conflict and populations movement*, [updated 12 April 2012](#) and [6 June 2012](#), accessed on 30 May 2025).

²¹ IOM reported in March 2013 that between 12 January and 10 February 2013, only 2,310 individuals were monitored moving back, mostly from Bamako (998), Mopti (507), Segou (308) and Sikasso (205) to their areas of origin in the north of the country including 1,028 to Timbuktu ([IOM Mali: *The Mali Migration Crisis at a Glance, March 2013*](#), p. 8, accessed on 13 June 2025). IOM also reported in the Displacement Tracking Matrix (DTM) Mali Report of May 2024 that “for more than 10 years, Mali has been affected by an unprecedented security crisis, forcing several households to leave their places of origin. The persistence of growing insecurity continues to affect the living conditions of populations already weakened by the lack of access to basic social services and the vagaries of the climate” [non official translation]. The DTM identified that the number of IDPs returned increased by 6 per cent nationally (45,456 additional returns) compared to the previous DTM report (December 2023). Regions of Mopti, Bandiagara and Timbuktu saw the highest increase in returns. The report explains these results by the fact that the improvement in the security situation in the area of origin remains the main reason for the return of the majority of returnees. Apart from the security situation, the report mentions the poor living conditions in the host area. With regards refugees, the DTM reported an estimated number of registered returnees as of 31 May 2024 at 85,683, including 38,554 going to Timbuktu region and coming from mostly Mauritania (19,247), Burkina Faso (15,922) and in lesser extent Algeria and Niger (see [Displacement Tracking Matrix- Mali, May 2024](#), accessed on 13 June 2025).

²² See *supra* para. 6 and footnote 14.

²³ The figure includes people who are currently living in Timbuktu city and are above 18 years old to date, and does not include people who were 5/6 years or less during the time that Ansar Dine and Al Qaeda groups ruled Timbuktu city in 2012-2013 (of which Mr. Al Hassan contributed to) and are still minor to date (in *Al Hassan case: Experiences and perceptions from Timbuktu*, Part 0: Estimations, p. 2, Voices That Count, May 2025).

by force during the time that Ansar Dine and Al Qaeda groups ruled Timbuktu in 2012-2013 (of which Mr. Al Hassan contributed to)²⁴ is appr. 30,240 people, which is 84% of the appr. 36,000 inhabitants.²⁵

9. Extrapolating from the data collected above, and taking into consideration the margin error of 3.5% as well as the children who were between 0 and 5 years old at the time that Ansar Dine and Al Qaeda groups ruled Timbuktu city in 2012-2013 (of which Mr. Al Hassan contributed to), a figure between 35,000 and 40,000 inhabitants of Timbuktu city at the time may be a reasonable estimation, with a figure of approx. 30,000 of people (over 18) currently living in Timbuktu city and that suffered and experienced some form of harm from the imposed new rules and prohibitions by force during that time.

2) Other figures related to the Registry's victim application and pre-identification processes²⁶

10. During the *Al Hassan* case proceedings to date, the Registry has received a total of 3,219 victim applications to participate in the Case ("Total Applications Received").²⁷ The Registry has reassessed all of these applications in light of the Trial Judgment and the Decision of 21 March 2025.²⁸ Out of the 3,219 Total Applications Received,²⁹ 3,088 applications were assessed as complete. Among

²⁴ See *supra* para. 5 and footnote 12.

²⁵ See *supra* footnote 23. Therefore the figures includes people who are currently living in Timbuktu city and were above 5/6 years old at the time that Ansar Dine and Al Qaeda groups ruled Timbuktu city in 2012-2013 (of which Mr. Al Hassan contributed to) (in *Al Hassan case: Experiences and perceptions from Timbuktu, Part 0: Estimations*, p. 4, Voices That Count, May 2025).

²⁶ The Registry provides figures which cannot be interpreted as representing the total universe of victims in this Case.

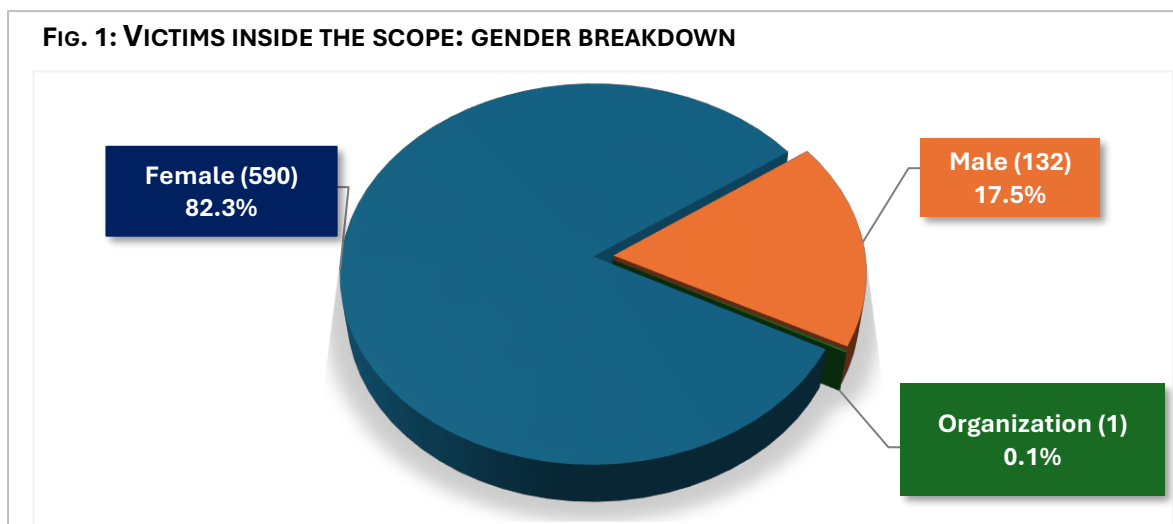
²⁷ This number does not include applications identified as duplicates (i.e. additional form(s) submitted by the same applicant in the same proceedings) when the Registry has assessed the duplicate as a supporting document to the initial form (e.g. when the duplicate contains additional information). In such cases, both documents are registered as a consolidated form and counted only once. It does not include duplicates that are copies of the original form, nor does it include two forms submitted by deceased applicants.

²⁸ [Trial Judgment](#), see para. 1785 and Disposition, pp. 819-822, and [Decision of 21 March 2025](#), para. 20.

²⁹ This number includes 722 applications received after the deadline for the final transmission of applications up to the end of the Prosecution case. These applications were submitted in accordance with the Chamber's ruling that, following the expiry of the deadline, the Registry is encouraged to continue collecting (though not filing or transmitting) application forms for the purposes of any future

these, 723 were found to fall within the scope of the Case (“Inside Applications”).³⁰ Out of the 723 Inside Applications, 714 relate to victims of the crime of persecution (“Applications of Victims of Persecution”).³¹

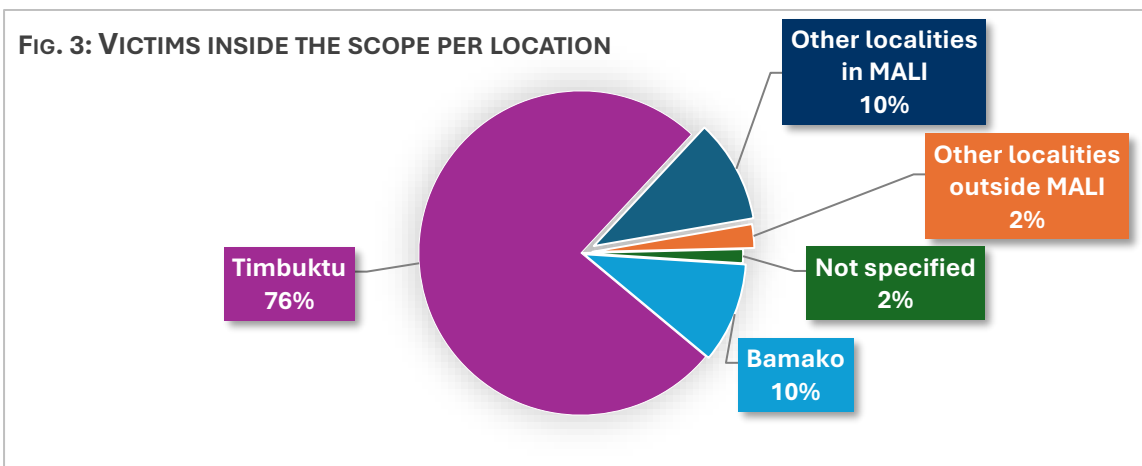
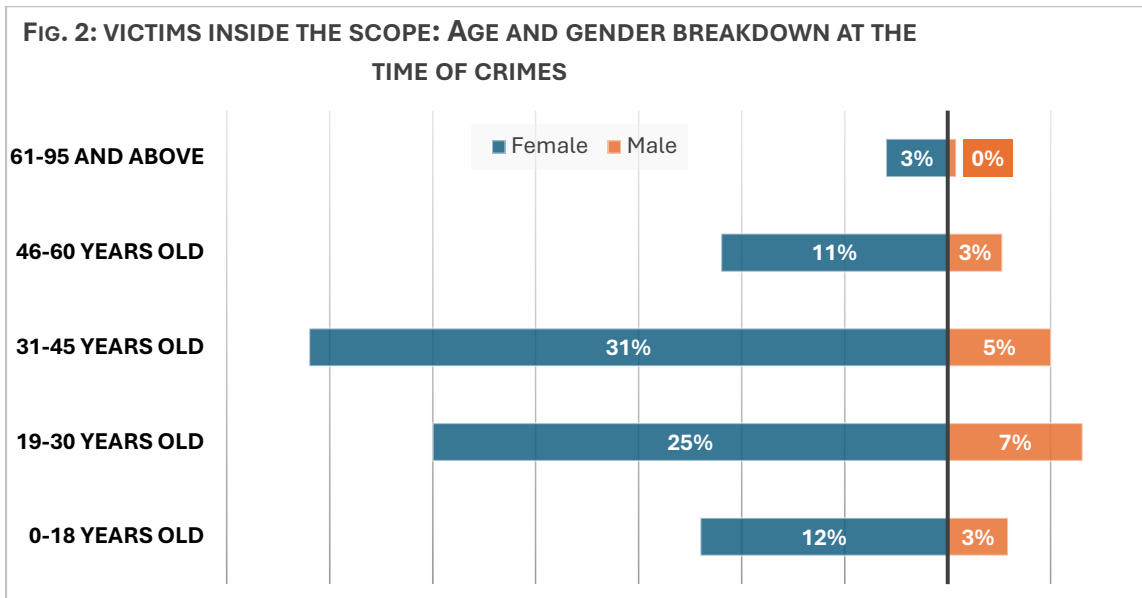
11. The Registry hereby provides figures regarding the victims identified as Inside Applications:



reparations proceedings) (see Trial Chamber X, “Decision on request for extension of deadlines for the final transmission of victim applications for participation at trial”, 12 June 2020, [ICC-01/12-01/18-880](#), paras 10-14 and 15, and Disposition, p. 8).

³⁰ 13 applications were assessed as incomplete (e.g. due to missing identity documents and/or signatures). Among the 723 Inside applications, 625 are from victims who participated at trial, while 98 were received after the deadline for submission during the trial stage. The Registry also notes that, of the 723 Inside applications, 719 are from direct victims, (including one organisation), three are from indirect victims, and one concerns an individual who is both a direct and an indirect victim.

³¹ The Registry notes that, among the 723 Inside applications, nine relate to victims identified by the Chamber in its Trial Judgment as part of the group of 49 victims. Additionally, 714 applications concern victims of the crime of persecution, including 712 direct victims (among them one organisation) and two indirect victims.



12. The Registry notes that, out of the Total Applications Received, 1,932 applications were assessed as falling outside the scope of the Case after conviction (“Outside Applications”)³² and 433 applications were assessed as unclear (“Unclear Applications”).³³ The Registry further notes that both these

³² 56 applications were assessed as incomplete (e.g. lacking identity documents or identification details, missing signatures, absence of a person acting on behalf, or when alleged indirect harm was not supported by documentation). Among the 1,932 Outside applications, 1,234 are from victims participating at trial, and 537 were received after the deadline for the final transmission of applications up to the end of the Prosecution case (see *supra*, footnote 26). The Registry notes that these applications were assessed as falling outside the geographical scope (1,271) or the material scope of the Case (661). See [Trial Judgment](#), para. 1785 and Disposition, pp. 819-822 and separate and partly dissenting opinion of Judge Tomoko Akane, 26 June 2024, [ICC-01/12-01/18-2594-OPI](#).

³³ 62 applications were assessed as incomplete. The 433 Unclear applications were assessed as unclear with respect to the geographical, temporal, and/or material scope of the Case as defined in the [Trial](#)

groups of applicants may submit a new application for reparations and/or provide additional information that could qualify them for reparations, depending on the eligibility criteria and the applicable standards, and burden of proof to be established by the Chamber in the Reparations Order.³⁴ The Registry will ensure that victims who fall outside the scope of the Case are informed of the reasons for their exclusion from the reparation proceedings at this time and to receive information about their procedural options.

13. From May 2023 to May 2025, the Registry conducted a pre-identification process of potential beneficiaries of reparations in the present Case, focusing on Timbuktu city and other cities in Mali where internally displaced persons continue to reside.³⁵ To date, the Registry has pre-identified 2,111 potential new direct victims of the crime of persecution, along with potential 4,274 potential new indirect victims (“Pre-Identified Victims”).³⁶
14. The Registry hereby provides figures concerning the direct Pre-Identified Victims:

[Judgment](#) and the [Decision of 21 March 2025](#), paras 18-20. The Registry notes that this assessment may change depending of the eligibility criteria for reparations and the applicable standards and burden of proof to be established by the Chamber in the Reparations Order (see [Decision of 21 March 2025](#), para. 20) or any clarification to be received under rule 94 (1) and Regulations 88 of the Court.

³⁴ For instance, victims present in Timbuktu city during the temporal scope of the Case, may apply for reparations under the crime of persecution on religious grounds.

³⁵ The pre-identification exercise refers to the collection of information about persons residing in Timbuktu city at the time of the crimes for which Mr Al Hassan was convicted (including persons displaced thereafter), thus representing potential beneficiaries, without requiring them to complete an application form.

³⁶ It corresponds to the number of family members mentioned by direct victims who may have been affected by the crime committed against the direct victim.

FIG. 4: PRE-IDENTIFIED VICTIMS PER GENDER

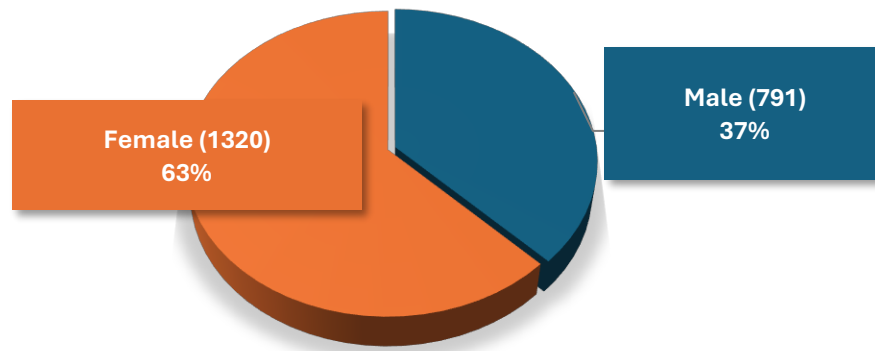


FIG. 5: PRE-IDENTIFIED VICTIMS PER GENDER AND AGE

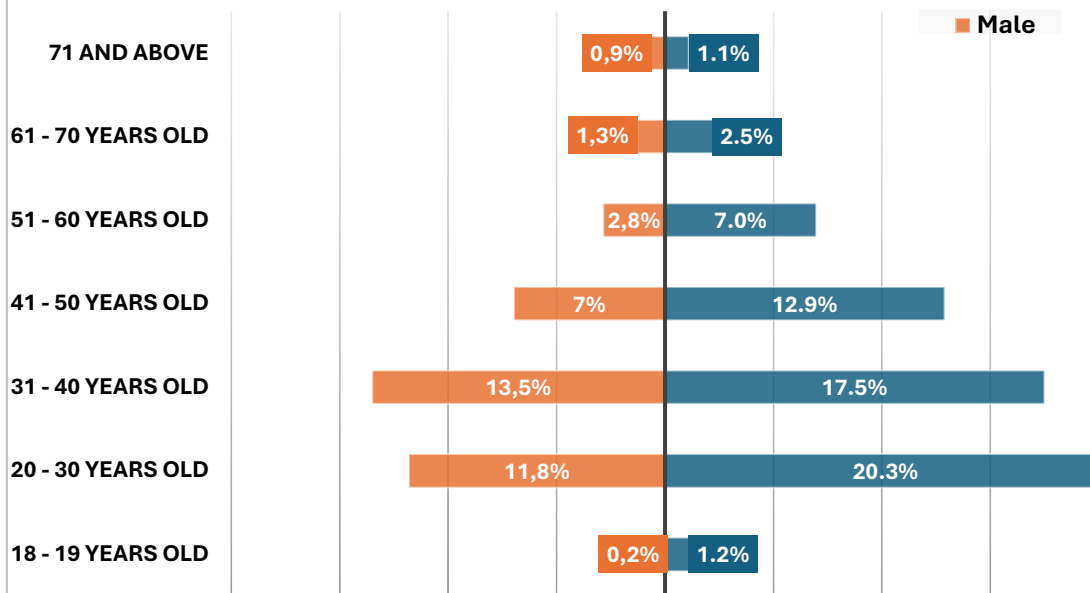
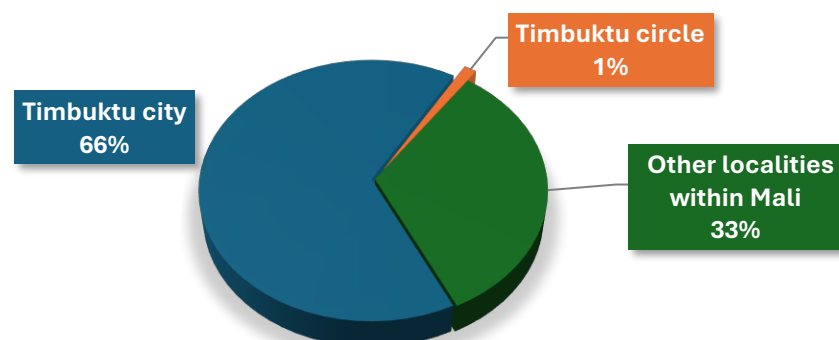


FIG. 6: PRE-IDENTIFIED VICTIMS PER LOCATION



15. Based on the information collected during the pre-identification process, the Registry estimates that at least 5,000 direct victims may fall within the scope of

the present Case³⁷ and may be reached in order to participate in the reparations process as appropriate. It also estimates that at least 10,000 indirect victims fall within the scope of the present Case and may be similarly so reached.³⁸

(ii) *Registry observations on specification of the types and extent of the harm suffered by the victims of the crimes for which Mr Al Hassan was convicted, referring to specific evidence*³⁹

- **Victims of all crimes for which Mr Al Hassan was convicted, except persecution**

16. As of 16 May 2025, 27 of the 49 Victims listed by the Chamber in Annex III to the Trial Judgment - or their relatives in the case of deceased victims - have been identified and consulted both on their legal representation and on reparations.⁴⁰ Among these 27 direct victims, five⁴¹ were able to provide information to the Registry through a victim application for reparations:⁴²

- The said five victims, all men, are direct victims of the crime of sentencing without due process (count 6) for which Mr Al Hassan was convicted.

³⁷ This estimate is based on information collected by the VPRS [REDACTED], and takes into account the scope of the Case as defined in the [Trial Judgment](#).

³⁸ This estimate also reflects the average number of family members mentioned by the pre-identified direct victims who may have suffered crimes within the scope of the Case (i.e. at least one or two family members). However, the Registry notes that the official census recorded an average of 5,8 individuals per household in the Timbuktu commune in 2009 (see *supra*, para. 6 and footnote 16).

³⁹ [Order](#), para. 6, (i)(b). The Registry notes the Chamber's order to refer to specific evidence. While applications for participation and reparations cannot be considered as evidence in a formal sense as per the ICC legal framework, the information they contain may still be relevant for the Chamber's consideration of the issues at stake.

⁴⁰ [Second Report](#), para. 16. See also *supra*, para. 4.

⁴¹ [Second Report](#), para. 17 ii). These direct victims are registered under reference numbers [REDACTED], respectively.

⁴² The Registry limits its present observations to these individuals, noting that among the 27 victims, 22 victims, or in the case of deceased victims, their families, were able to provide information on reparations directly to the LRV in compliance with the Decision of 21 March 2025 (see [Second Report](#), para. 17(i)). This information is provided without prejudice to any observations that may be submitted during the reparation proceedings by the legal representative appointed to represent the concerned victim(s) (see also Trial Chamber X, "Decision on the LRV's submissions on a potential conflict of interest", 5 June 2025, ICC-01/12-01/18-2728-Conf and its public redacted version, [ICC-01/12-01/18-2728-Red](#)).

- Also, they report to have suffered and/or continue to suffer from psychological issues related to the crime for which Mr Al Hassan was convicted (including fear, anxiety, sleep disorders, and shame) as well as substantial impairment of their fundamental rights. Additionally, three of them report having suffered physical harm related to the crime for which Mr Al Hassan was convicted.⁴³

17. The Registry has also assisted a family member of a deceased person, who is presented as another direct victim of the crime for which Mr Al Hassan was convicted but not named by the Chamber in its Judgment,⁴⁴ in completing an application form.⁴⁵ The Registry reports the information so provided by the said family member, for the Chamber's consideration, if deemed appropriate:⁴⁶

- The said indirect victim, a woman, reports to have suffered and/or continues to suffer from psychological harm (including anxiety, sleep disorders, and shame), as well as material harm (due to loss of income from the breadwinner), as a result of the crime of sentencing without due process committed against her relative.⁴⁷

b. Victims of persecution

18. For this category of victims, the VPRS has collected information through victim applications that may be considered by the Chamber for the purposes of reparations.

⁴³ The Registry specifies that it does not report here other harms mentioned by the aforesaid five victims that relate to incidents outside the specific events subject to the Chamber's findings (e.g. material harm resulting from the destruction or appropriation of property).

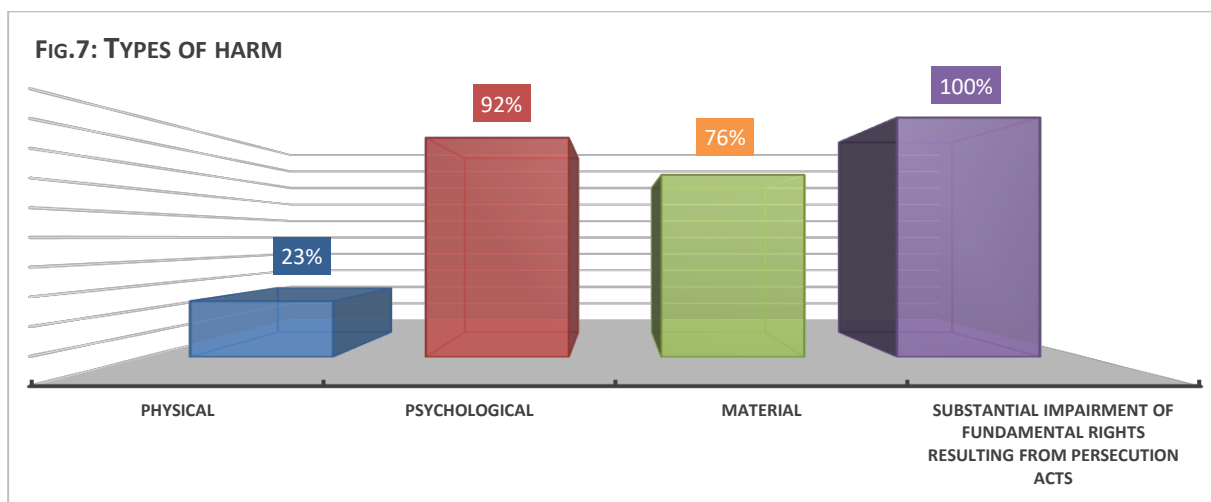
⁴⁴ It refers to the case of (1) Nuh bin Muhammad, (2) 'Isa Bin Jadu, (3) Muhammad Shaka, (4) Ali Bin Barakah and (5) Abdallah Bin Muhammad al-Jum'at, number 04/1433-2012, dated 30 June (see [Annex III to the Trial Judgment Decision](#), para. 12, i), page 19; [Sentencing Judgment](#), para.59). See also [REDACTED].

⁴⁵ The indirect victim is registered under reference number [REDACTED].

⁴⁶ The Registry reports this information in compliance with [Decision of 21 March 2025](#), para. 12. This information is provided without prejudice to any observations that may be submitted during the reparation proceedings by the legal representative appointed to represent the concerned victim.

⁴⁷ The Registry specifies that it does not report here other harms mentioned by the aforesaid victim does that relate to incidents outside the specific events subject to the Chamber's findings (e.g. physical harm resulting from crimes outside of the scope of the Case).

19. The Registry notes that the types of harm are mentioned at least once or cumulatively by the victims and are similarly represented across genders. The Registry provides the figures below regarding the 714 Applications from victims of persecution, with details as follows:⁴⁸



- *Physical harm*: such as (persistent) physical health issues related to the crime suffered and/or related to injury sustained during the commission of the crime; health problems related to difficult living conditions (poverty, displacement/resettlement);
- *Psychological harm*: such as (persistent) psychological issues related to the crime suffered including as a result from having suffered crimes in front of family members/public, from having witnessed crime(s), from economic loss, as well as psychological issues related to living conditions (poverty, displacement/resettlement) and/or psychological trauma resulting in physical health issues;
- *Material harm*: such as the loss of property/source of income/livelihood; lack of financial means to support the family (including inter alia the lack to afford victim's children schooling, medical costs); economical problems related to living conditions

⁴⁸ In addition, it is noted that the 2,111 pre-identified victims (*supra*, para. 11) alleged to have suffered at least one of the following harms: physical harm (29%), psychological harm (33%) or material harm (33%). These victims may also have suffered substantial impairment of their fundamental rights as a result of underlying acts of persecution on religious grounds.

(poverty, displacement/resettlement); loss of opportunities as the victim had to interrupt his/her studies/work due to the crime suffered;

- *Other harm: Substantial impairment of fundamental rights because of underlying acts of persecution on religious grounds including inter alia the right to freedom of thought, conscience and religion, the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment, the right to bodily integrity.*⁴⁹

(iii) Registry observations on whether recourse to factual presumptions should be considered⁵⁰

20. Based on established criteria regarding victims' connection to Timbuktu city,⁵¹ the Registry recommends that the Chamber adopt the following factual presumption in this case to determine eligibility for reparations: victims who have a sufficient link with the city of Timbuktu, particularly through residence, may be presumed to have been present at the time of the crimes for which Mr Al Hassan was convicted.⁵²

⁴⁹ [Trial Judgment](#), paras 1527-1551, 1559-1560, 1562-1565; and [Sentencing Judgment](#), paras 69-71 and 76.

⁵⁰ [Order](#), para. 6(i)(c).

⁵¹ The Registry specifically refers to para. 106 of the TFV's Draft Implementation Plan in the *Al Mahdi* case, where the TFV explained its criteria for establishing a sufficient connection of victims to Timbuktu city as part of determining eligibility for reparations. According to para. 106, "An applicant must establish according to the balance of probabilities his or her connection to Timbuktu at the date of the crime. This may be accomplished by demonstrating that at the relevant time: (i) the applicant was "[...] ordinarily residing in Timbuktu [...]," or (ii) that while not ordinarily a resident in Timbuktu, the applicant was "otherwise so closely related to the city that [he or she] can be considered to be part of this community at the time of the attack [...]." Trust Fund for Victims, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, "Corrected version of Draft Implementation Plan for Reparations, With confidential Annex I, 20 April 2018, ICC-01/12-01/15-265-Conf", 1 May 2018, ICC-01/12-01/15-265-Conf-Corr. A public redacted version was filed on 18 May 2018 ([ICC-01/12-01/15-265-Corr-Red](#)).

The Registry recalls that these criteria were approved in para. 60 of Trial Chamber VIII's decision of 13 July 2018. Trial Chamber VIII, *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, "Decision on Trust Fund for Victims' Draft Implementation Plan for Reparations", ICC-01/12-01/15-273-Conf. A public redacted version was filed on 13 July 2018 ([ICC-01/12-01/15-273-Red](#)).

⁵² This presumption shall apply to victims who establish a sufficient link with the city of Timbuktu through residence, as well as to those who demonstrate that they were "closely related to the city" such that they can be considered part of the Timbuktu community at the period of time for which Mr Al Hassan was convicted (See *supra*, footnote 51).

21. The Registry notes that victims may prove their residency in Timbuktu city at the time of the crimes for which Mr Al Hassan was convicted by providing, for example: certificates of residence; utility bills or rental agreements; school or employment records; health or medical records; testimonies or affidavits; or identification documents.⁵³
22. Alternatively, victims may be “otherwise closely related to the city of Timbuktu” if they can demonstrate their ties with the Timbuktu community by providing documents regarding *inter alia* family or social ties, participation in local institutions, economic or property links, educational or health records; or humanitarian or NGO records. The Registry proposes for example to rely on the following non-exhaustive list of documents: sworn statements or notarized declarations by local leaders, religious figures, neighbours, or community organizations; membership cards, attendance logs, or letters from institution leaders; family records, birth certificates, or household registration documents; property deeds, tax receipts, employment contracts, or business licenses; school certificates, vaccination cards, or clinic visit logs; NGO-issued ID cards, distribution lists, or beneficiary records.
23. Besides the presumption outlined above, the Chamber may also rely on circumstantial evidence to satisfy itself of the sufficient link of the victims with the city of Timbuktu.⁵⁴

(iv) *Registry observations on types and modalities of reparations appropriate to address the harm suffered by the victims of the crimes for which Mr Al Hassan was convicted*⁵⁵

a. Victims of all crimes subject to conviction, except persecution

⁵³ In this respect, the Registry recalls the difficulties victims face in obtaining official documentation. See *infra*, para. 27.

⁵⁴ The Registry recalls that in the *Katanga* case, when analysing victims’ applications for reparations, Trial Chamber II deemed it appropriate to rely on presumptions and circumstantial evidence to satisfy it self of certain facts in the case. Trial Chamber II, *The Prosecutor v. Germain Katanga*, “ Order for Reparations pursuant to Article 75 of the Statute”, [ICC-01/04-01/07-3728-tENG](#), paras. 61-62, and footnotes 149, 153, 167, 169 and 171.

⁵⁵ [Order](#), para. 6(i)(d).

24. The following information concerns the five direct victims who completed application forms with the assistance of the Registry:⁵⁶ all victims expressed that financial compensation (two of whom specified that such compensation would be intended to (re) start an income-generating activity) would be appropriate to address the harm they suffered from the crimes for which Mr Al Hassan was convicted.⁵⁷ Regarding the aforesaid indirect victim who submitted an application with the Registry,⁵⁸ this victim similarly considered financial compensation to (re) start an income-generating activity to be appropriate to address the indirect harm she suffered as a result of the crime committed against her relative.

b. Victims of persecution

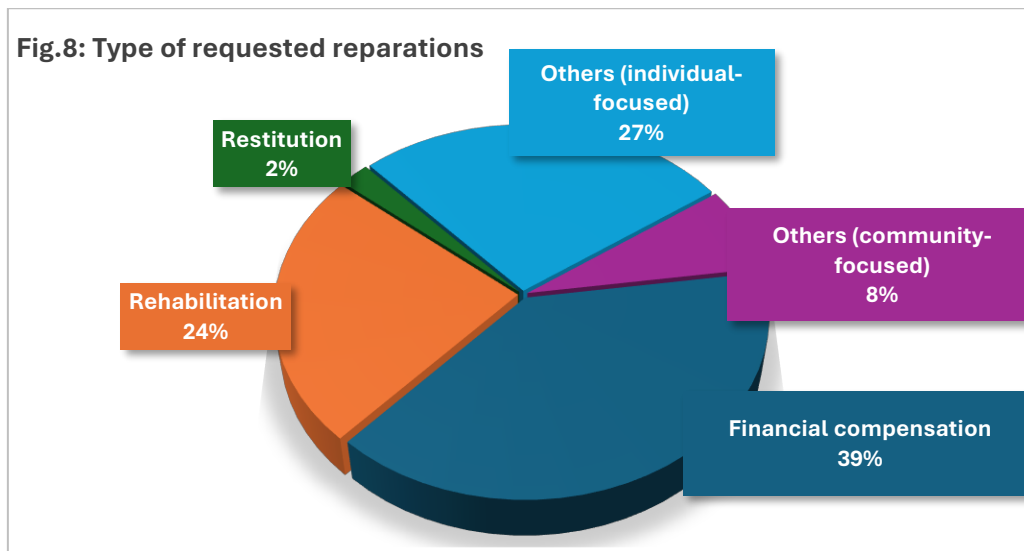
25. The following information pertains to the 714 Applications of victims of persecution, of which 616 have provided information regarding reparations:⁵⁹

⁵⁶ See *supra* para. 16. The Registry acknowledges that this information may not fully reflect the views of all victims.

⁵⁷ In addition to financial compensation, three victims mentioned the return of their property, however the Registry notes that this measure relates to harm suffered by the victims from incidents other than the specific events subject to the findings of the Chamber, see *supra*, footnote 43.

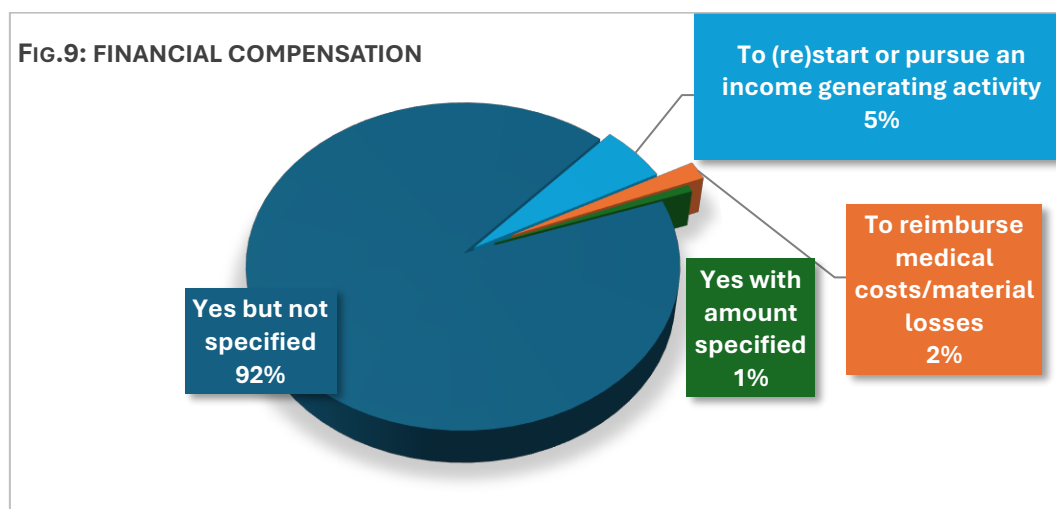
⁵⁸ See *supra* para. 17.

⁵⁹ The Registry notes that victim applications were received between 2014 and 2024 and acknowledges that due to the passage of time, the information provided by the victims may not reflect their current views. Furthermore, the Registry notes that among the 2,111 pre-identified victims (*supra*, para. 11), 67% expressed that support to (re)start income-generating activities and/or 32% indicated that financial compensation would be the most appropriate measures to address the harm they have suffered. A few pre-identified victims expressed the wish to return to Timbuktu city (this concerns five of the 696 internally displaced persons pre-identified by the Registry) and one expressed the need of Mr Al Hassan's request for forgiveness.

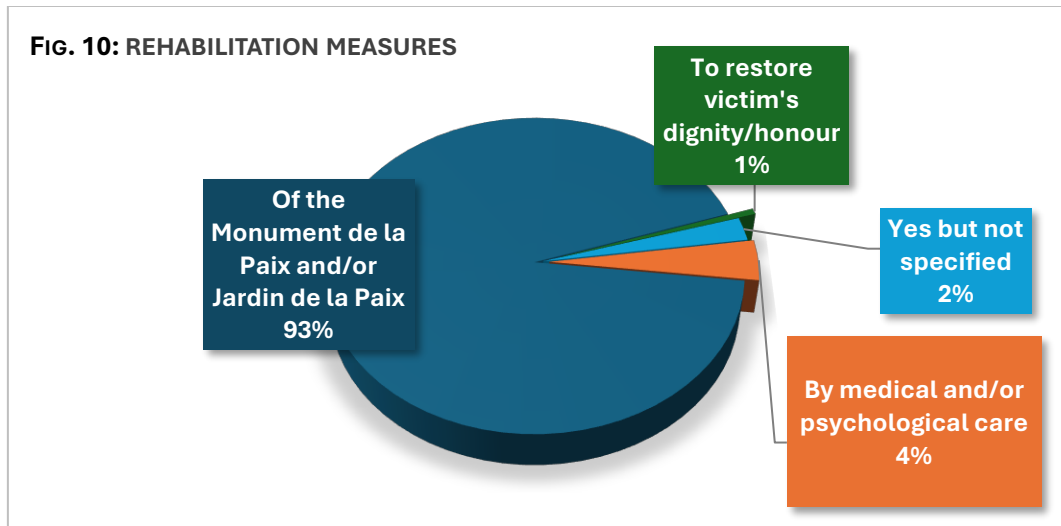


26. The Registry notes that these types of reparation are mentioned at least once or cumulatively by the victims and are similarly represented across genders. The Registry provides the details of the reparation measures as follows:

- **Financial compensation:**

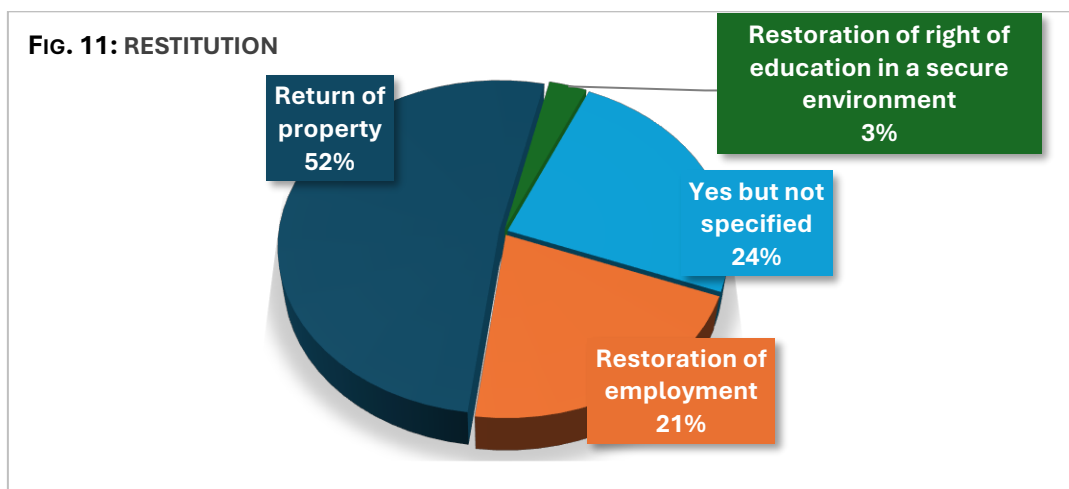


- **Rehabilitation :**

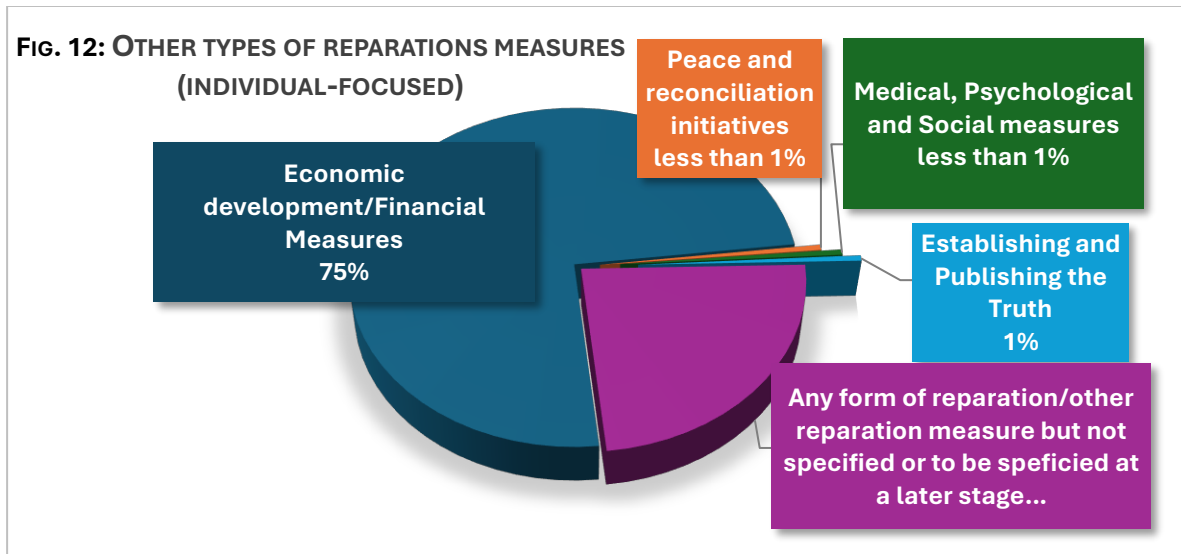


This includes, in particular, the rehabilitation of the *Monument de la Paix* and/or *Jardin de la Paix*, which are perceived as potential sources of income for the victim, their family, and the broader victim community.

- **Restitution:**

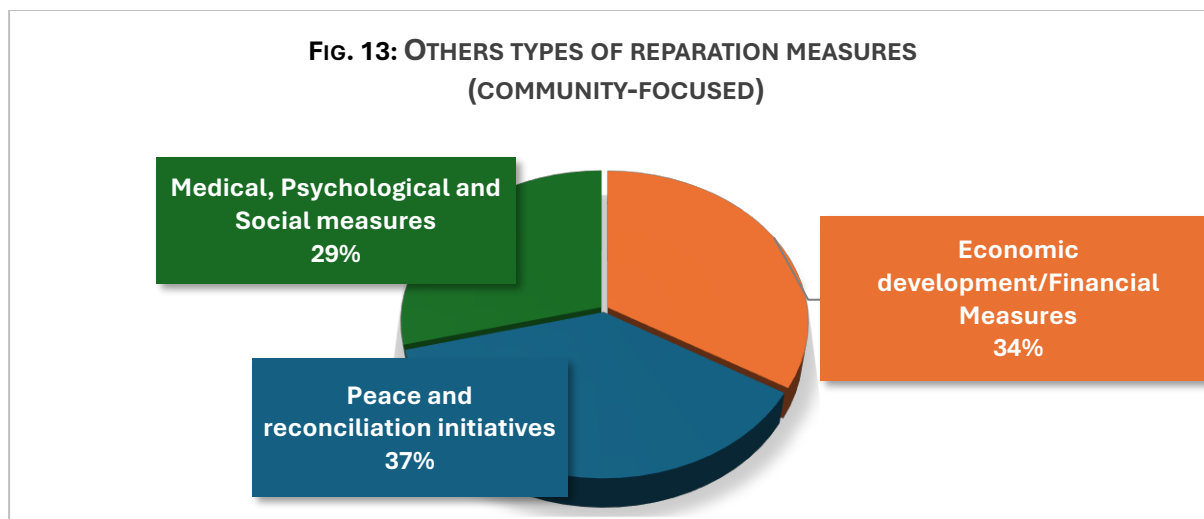


- **Other types of reparations (individual-focused) :**



- *Economic development/Financial Measures*: support for (re)starting income-generating activities (IAGs), including those related to victims' association or linked to the *Monument de la Paix* and *Jardin de la Paix*; support for vocational training; assistance for sustaining current business (e.g. provision of work equipment); and support for housing;
- *Medical, Psychological, and Social measures*: measures aimed at restoring victim's dignity; and providing medical and/or psychological care to family members;
- *Peace and reconciliation initiatives*: measures to ensure a secure environment enabling peaceful living and/or return to northern Mali;
- *Establishing and Publishing the Truth*: actions such as tracing missing persons and ensuring justice and reparations.

- **Other types of reparations (community-focused) :**



- *Economic development/Financial Measures*: construction of schools, boreholes, vocational training centres, and provision of business funds for members of the victims' associations (*Monument de la Flamme de la Paix & Jardin de la Paix*);
- *Peace and reconciliation initiatives*: activities such as sensitization on counter-terrorism and protection of cultural heritage;
- *Medical, Psychological and Social measures*: e.g. building victims support service/centres, health care centre for the population.

(v) *Registry observations on any legal and factual issues relevant to the identification of eligible victims*⁶⁰

a. **Challenges for victims in obtaining or providing documentation to establish their identity, kinship, guardianship and harm**

27. The Registry previously reported in 2018 that Malian citizens faced significant challenges in obtaining or providing documentation to verify their identity and kinship, due to a combination of administrative, political and security-related

⁶⁰ [Order](#), para. 6(i)(f).

factors.⁶¹ While some progress has since been made,⁶² these difficulties persist,⁶³ particularly in respect to documents substantiating the harm suffered⁶⁴ These challenges have been further exacerbated by the ongoing security crisis,⁶⁵ the

⁶¹ See Registry, “Registry’s Report on Proof of Identity Documents Available in Mali and Transmission of Proposed Application Forms for Rule 85(b) RPE Victims and Groups of Victims”, 18 May 2018, [ICC-01/12-01/18-33-AnxI](#), paras 28-31.

⁶² Since the Registry’s 2018 report, one notable development has been the introduction of a secure biometric national identity card (*Cartes Nationales d’Identités Biométriques Sécurisées* ‘CNIBS’), established by Decree No. 2022-0639/PT-RM of 3 November 2022. The CNIBS is progressively replacing the NINA card, the traditional national identity card, and the consular card. However, the transition to the CNIBS has faced significant challenges, including delays in issuance, instances of corruption, high associated costs, and the lack of required official supporting documentation. See, for instance: *Icimali.com*, “[Carte nationale biométrique : Un parcours de combattant](#)”, 8 September 2023, at [www.icimali.com](#), accessed on 23 May 2025; *La Nouvelle Voie du Mali*, “[Retrait des cartes d’identité biométriques : Des citoyens expriment leur déception](#)”, 8 September 2023, at [www.lanouvellevoiedumali.com](#), accessed on 23 May 2025.

⁶³ Besides difficulties with identity documents, the Registry observes that Malian citizens continue to encounter a range of civil status challenges. These issues are compounded by insecurity in certain regions, significant disparities between rural and urban areas administrative services, internal displacement, and cultural constraints. Vital events such as births, marriages and deaths remains insufficient registered in remote areas, further deepening inequalities in access to public services. Moreover, structural inequalities, particularly affecting women in rural areas, significantly hinder their access to public services. See: *Institut National de la Statistique du Mali*, “[Rapport d’analyse des données du RGPH5 sur l’enregistrement des faits d’état civil et l’enrôlement au RAVEC](#)”, January 2025, at [www.instat-mali.org](#), accessed on 23 May 2025, pp. XVIII, 3 to 13 corresponding to slides 22, 25 to 35 of the document.

⁶⁴ Based on the VPRS’ knowledge, one of the most significant challenges victims face is proving the harm they have endured. This difficulty is partly due to a general lack of awareness, at the time of the incidents, of the importance of obtaining supporting documentation. Additionally, more than 13 years have passed since the period of the crimes for which Mr Al Hassan was convicted, and many victims no longer possess medical certificates, prescriptions, or official records to substantiate their injuries or property losses. Moreover, according to VPRS, obtaining a certificate of residence (*attestation de résidence*), in Mali typically requires citizens to provide relevant authorities (such as the police or municipal authorities) with proof of residence, for instance an electricity or water bill bearing their name and covering the relevant time period. However, during the period relevant to the present Case (2012-2013), these documents are generally unavailable, as public services, such as water supply were provided by humanitarian organisations due to the presence of Malian authorities in Timbuktu city at the time. See also the challenged outlined in “[Rapport d’analyse des données du RGPH5 sur l’enregistrement des faits d’état civil et l’enrôlement au RAVEC](#)”, pp. XVIII, 3 to 13 corresponding to slides 22, 25 to 35 of the document.

⁶⁵ Due to the aggravating security situation, particularly in the regions of Timbuktu, Gao, Kidal and Mopti, the presence of state authorities is limited resulting in a reduction of administrative infrastructure with reports on civil offices being destroyed or abandoned. The security crisis has also resulted in the sudden displacement of groups of people and posed an impediment to the awareness campaigns on civil status registration. See “[Rapport d’analyse des données du RGPH5 sur l’enregistrement des faits d’état civil et l’enrôlement au RAVEC](#)”, slides 29-30 of the document.

widespread displacement of victims⁶⁶ and the continued unavailability or inaccessibility.⁶⁷

b. Operational challenges related to the identification of new victims

28. The Registry has identified a range of operational challenges that may hinder the effective identification of additional victims eligible for reparations in the Case. These challenges include, but are not limited to: the high number of potential beneficiaries;⁶⁸ security-related obstacles affecting victim participation;⁶⁹ limited access to victims who have sought refuge outside Mali;⁷⁰ the need for strengthened collaboration with external stakeholders;⁷¹ and the potential risk of re-victimisation and the emergence of community tensions.⁷²

⁶⁶ According to a late 2024 IOM survey, internally displaced persons in various circles of Mali (including Timbuktu) lack access to administrative documents due to the absence of nearby services, or when they do exist, they face staff shortages or are damaged. See DNDS [Octobre 2024], [Matrice de Suivi des Déplacements](#) (DTM), p. 14, accessed on 21 May 2025. In addition, in December 2024, the IOM reported that 13% of the internally displaced population surveyed -roughly 134.945- between October and December 2024, did not have identity documents, mainly because they have lost them or were confiscated. See DNDS [Décembre 2024], [Rapport trimestriel de suivi des flux migratoires](#) (FMP), pp. 3 and 8, accessed on 21 May 2025. See also, DNDS [Septembre 2024], [Matrice de Suivi des Déplacements](#) (DTM), pp. 7 and 33 of the document, accessed on 21 May 2025; and IOM, ["Mali Crisis Response Plan 2025-2026"](#), 17 April 2025, p. 4. See also *supra*, para. 7.

⁶⁷ See *supra*, footnotes 62-63.

⁶⁸ See *supra*, paras 6 to 15. The Registry underscores that these estimates will need to be reviewed in light of the eligibility criteria for reparations and the applicable standards and burden of proof, as will be determined by the Chamber in the forthcoming Reparations Order. The Registry notes that, depending of the reparations framework adopted by the Chamber, it may be required to process a high volume of applications within a limited timeframe and under current resource constraints of the Court.

⁶⁹ The Registry notes, in particular, the recent attack on the Timbuktu city on 2 June 2025 and the imposition of a curfew thereafter (British Broadcasting Corporation-BBC ["Al-Qaeda linked groups says it carried out huge attack on Mali's army"](#), also Radio France Internationale-RFI ["Mali: ce que l'on sait de plus au lendemain de l'attaque du Inim à Tombouctou"](#))[REDACTED].

⁷⁰ [REDACTED].

⁷¹ In addition, [REDACTED], victims' data and information requested by the Registry have not been provided, with the exception of [REDACTED] (see *supra* footnotes 14 and 18).

⁷² From the experience of VPRS, a substantial number of victims seek individual reparations that reflect their personal harm. Failure to ensure genuine consultation in the reparation process risks re-victimisation, exacerbation of community tensions, and undermining the overall effectiveness and legitimacy of any reparations program. Moreover, the Registry draws attention to the risk of social tension arising from the exclusion of certain groups of victims who fall outside the scope of Mr. Al Hassan conviction. Notably, victims of sexual violence report feelings of abandonment by the Court and lack of recognition for the harm they have suffered. These victims continue to experience

29. Cognizant of these challenges, the Registry remains committed to contributing to the present reparation process and stands ready to assist, also building upon its prior and ongoing experience in other reparations proceedings.⁷³



p.p. Marc Dubuisson, Director, Division of Judicial Services
On behalf of Osvaldo Zavala Giler, Registrar

Dated this 16 June 2025

At The Hague, The Netherlands

marginalisation and judgement from their communities, further complicating their social integration and that of their children.

⁷³ The Registry recalls its recent experience in the *Ntaganda* and *Ongwen* cases, where the VPRS was entrusted with the identification of victims and the determination of their eligibility for reparations. In the *Ntaganda* case, Trial Chamber II acknowledged this role in its “First Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations”, issued on 11 August 2023 (ICC-01/04-02/06-2860-Conf, paras 181, 184 and 185. A public redacted version was notified on 30 August 2023, [ICC-01/04-02/06-2860-Red](#)). Similarly, in the *Ongwen* case, Trial Chamber IX confirmed the VPRS’s mandate in its “Reparations Order”, issued on 28 February 2024 ([ICC-02/04-01/15-2074](#), paras 807-810 and pp. 360 and 361).