

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 23 January 2026

TRIAL CHAMBER IV

Before: Judge Kimberly Prost, Presiding Judge
Judge Keebong Paek
Judge Nicolas Guillou

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
THE PROSECUTOR *v.* ABDALLAH BANDA ABAKAER NOURAIN**

Confidential

***EX PARTE* only available to the Defence and Registry**

With Confidential *EX PARTE* Annex only available to the Defence and Registry

Addendum to the “Registry’s Observations on the “Defence Request Pursuant to Regulation 83(4) of the Regulations of the Court” (ICC-02/05-03/09-759-Conf-Exp) and Request for Guidance”, 22 January 2026 (ICC-02/05-03/09-760-Conf-Exp)

Source: Registry

☐ 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

☐ States' Representatives

☐ Amicus Curiae

REGISTRY

Registrar

M. Zavala Giler, Osvaldo

☒ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. Introduction

1. Pursuant to Trial Chamber IV ("Chamber")'s Email Instruction dated 16 January 2026,¹ on 22 January 2026, the Registry submitted its "Registry's Observations on the "Defence Request Pursuant to Regulation 83(4) of the Regulations of the Court" (ICC-02/05-03/09-759-Conf-Exp) and Request for Guidance".²
2. Pursuant to Chamber's Email Instruction dated 22 January 2026,³ the Registry hereby submits the "[Counsel Support Section] Decision on "Further Request for Funding", submitted by the Banda Defence on 23 December 2025" issued on 20 January 2026 as an Annex to the present Addendum to the Registry's Observations.⁴ The Registry confirms that all the other decisions mentioned in the Registry's Observations are on the case record.⁵

II. Classification

3. In accordance with regulation 23 *bis*(1) and (2) of the Regulations of the Court ("RoC"), the present filing is classified as confidential *ex parte* only available to the Defence and Registry as it refers to a Registry's decision with the same level of classification.

p.p.

Marc Dubuisson, Director, Division of Judicial Services
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 23 January 2026

At The Hague, the Netherlands

¹ Email from Trial Chamber IV to the Registry on 16 January 2026 at 16.29.

² Registry, "Registry's Observations on the "Defence Request Pursuant to Regulation 83(4) of the Regulations of the Court" (ICC-02/05-03/09-759-Conf-Exp) and Request for Guidance" ("Registry's Observations"), 22 January 2026, ICC-02/05-03/09-760-Conf-Exp.

³ Email from Trial Chamber IV to the Registry on 22 January 2026 at 16.33.

⁴ Annex, *see* Counsel Support Section ("CSS"), "CSS Decision on "Further Request for Funding", submitted by the Banda Defence on 23 December 2025", 20 January 2026, CSS/2026/39.

⁵ Defence, "Defence Request Pursuant to Regulation 83(4) of the Regulations of the Court", 15 January 2026, ICC-02/05-03/09-759-Conf-Exp, *see* annexes A-E.