

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09

Date: 10 July 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***

Public

Redacted version of the “Report of the Registry on the Whereabouts of Abdallah Banda Abakaer Nourain and Efforts to Secure his Arrest”, 3 October 2023, ICC-02/05-03/09-726-SECRET-Exp

Source: The Registry

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

☒ 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
Mr Osvaldo Zavala Giler

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and Reparations Section

☐ Other

I. Introduction

1. Pursuant to the “Order directing the Registry and the Prosecution to provide updates”¹ (“Order”) in which Trial Chamber IV (“Chamber”) instructed the Office of the Prosecutor (“Prosecution”) and the Registry to submit a written update to be filed by 28 September 2023² regarding any information as to the suspected whereabouts of Mr Abdallah Banda Abakaer Nourain (“Mr Banda”) and an outline of the efforts being made to secure his arrest, the Registry submit the following report.

II. Classification

2. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, the present report and its two annexes are classified secret, *ex parte*, only available to the Registry and the Prosecution, [REDACTED]³ and as they refer to information related to the whereabouts of an accused at large.

III. Submissions

3. [REDACTED],⁴ the Registry has continued to monitor the whereabouts of Mr Banda [REDACTED] with a view to anticipate his movements and facilitate a possible arrest.
4. Furthermore, [REDACTED], the Registry deployed a mission to [REDACTED] in order to collect further information about the whereabouts of Mr Banda and discuss with [REDACTED], including about a possible arrest of Mr Banda, should he be found on their territory (“[REDACTED] Mission”)

¹ Trial Chamber IV, “Order directing the Registry and the Prosecution to provide updates”, 15 September 2023, ICC-02/05-03/09-723-Conf-Exp

² Trial Chamber IV extended, via an email dated 22 September 2023 at 16.01, “the Registry and Prosecution filing deadline to provide written updates concerning Mr Banda’s whereabouts and the efforts to secure his arrest by 28 September, to five October”.

³ [REDACTED]

⁴ [REDACTED]

Suspected whereabouts of Mr Banda

5. Based on the information collected during the [REDACTED] Mission and the information received during regular contacts with relevant sources of information, the following developments regarding the whereabouts of Mr Banda can be disclosed:
 - a. Mr Banda is reportedly [REDACTED]. [REDACTED].
 - b. Mr Banda [REDACTED]. [REDACTED]. [REDACTED].⁵
 - c. Mr Banda [REDACTED] ⁶ [REDACTED]. [REDACTED].
 - d. Mr Banda is [REDACTED]. [REDACTED], Mr Banda was reportedly [REDACTED]. However, he is reportedly [REDACTED]. Mr Banda's [REDACTED].
6. The Registry came into possession of the [REDACTED] ⁷ [REDACTED]. [REDACTED].
7. Based on the information that the Registry has received and given its analysis on the possible movements of Mr Banda, at this point in time, it seems unlikely that Mr Banda [REDACTED]. It seems unlikely that Mr Banda will [REDACTED]. [REDACTED].

Efforts made to secure an arrest

8. The Registry is in regular contact with [REDACTED] regarding the execution of the Warrant of Arrest for Mr Banda. During the [REDACTED] Mission and in subsequent interactions, [REDACTED]. However, they emphasized that [REDACTED].

⁵ Annex I.

⁶ [REDACTED]

⁷ Annex II.

9. In September 2023, the [REDACTED] held separate bilateral meetings with [REDACTED] during which the [REDACTED] reiterated the obligation of the [REDACTED] to arrest Mr Banda and surrender him to the Court.
10. During a mission [REDACTED], the [REDACTED] informed [REDACTED] of the Court's interest in securing the arrest of Mr Banda, [REDACTED].
11. The Registry is also discussing options with the Prosecution regarding the [REDACTED].
12. Finally, noting the Chamber's decision on the discussions between the Registry and the Defence for facilitating Mr Banda's voluntary surrender or appearance before the Court,⁸ the Registry hereby informs the Chamber that, since the last Registry's submission dated 3 August 2023,⁹ the Defence has not contacted the Registry for this purpose.
13. The Registry will continue to closely monitor the situation and movement of Mr Banda and report to Chamber accordingly of any possibilities for the arrest.

p.p.



Marc Dubuisson

Director of the Division of Judicial Services

On behalf of Osvaldo Zavala Giler

Dated this 10 July 2026

At The Hague, The Netherlands

⁸ Trial Chamber IV, "Decision to end mandated facilitation discussions and reports by the Registry", 21 July 2021, ICC-02/05-03/09-705-Conf-Exp, paras. 10-11.

⁹ Registry, "Registry's observations on "Defence Request Pursuant to Regulation 83(4) of the Regulations of the Registry" (ICC-02/05-03/09-720-Conf-Exp, 19 July 2023)", 3 August 2023, ICC-02/05-03/09-721-Conf-Exp.