

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **14 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

**Public redacted version of "Update on investigative steps", 22 September 2025,
ICC-02/05-03/09-741-Conf**

Source: Office of the Prosecutor

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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I. INTRODUCTION

1. The Prosecution respectfully submits the following update on its investigation.

II. CLASSIFICATION

2. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, the Prosecution files this update as confidential, *ex parte*, only available to the Prosecution, since it refers to filings of the same classification and contains sensitive information related to its ongoing investigation.

III. SUBMISSIONS

Developments in the ongoing investigation

3. As the Prosecution previously informed the Chamber,¹ the loss of key [REDACTED] witnesses, the exhaustion of investigative leads, lack of cooperation from potential insider witnesses and the attendant inability of the Prosecution to fill gaps in the evidence, as well as the identification of exculpatory evidence, had significantly degraded the overall state of its case.

4. However, in recent weeks, the Prosecution identified two new investigative leads that are potentially relevant to the case against Mr Banda. The Prosecution currently expects to deploy an investigative mission on [REDACTED] to inquire further.

5. The Prosecution cannot yet determine what, if any, impact these recent developments may have on the strength of the evidence against Mr Banda. Nevertheless, in light of the prior submissions referenced in paragraph 3 above, the Prosecution files this update in order to keep the Chamber informed of possible relevant developments.

¹ Prosecution request to withdraw the charges against Abdallah Banda Abakaer Nourain and Response to Order directing the Registry and the Prosecution to provide updates, [ICC-02/05-03/09-727-Conf-Exp](#), paras. 15-19. See generally the Prosecution's oral submissions at [ICC-02/05-03/09-T-028-CONF-EXP-ENG](#).

6. The Prosecution will update the Chamber regarding the above mentioned investigative mission as soon as practicable.



Nazhat Shameem Khan
Deputy Prosecutor

Dated this 14th day of July 2026
At The Hague, The Netherlands