

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 23 October 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 "Prosecution's Status Report on arrangements for the execution of Second Decision on the Prosecutor's Application under Article 58",
ICC-02/05-03/09-9-US, dated 9 November 2009**

Source: Office of the Prosecutor

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

Oswaldo Zavala Giler

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

Background

1. On 27 August 2009, the Single Judge issued summonses in respect of Abdallah Banda and Saleh Jerbo to appear before the Court on 17 November 2008¹.
2. On 23 October 2009, the Registrar filed the "Report of the Registrar on Execution of Second Decision on the Prosecutor's Application under Article 58 (the "Report")."²
3. On 26 October 2009, the Prosecution filed its "Prosecution's Response to the "Report of the Registrar on the execution of Second Decision on the Prosecutor's Application under Article 58"³ ("26 October Filing").
4. On 4 November 2009 the Single Judge issued "Decision Scheduling a Hearing on 9 November 2009"⁴, in order "*to discuss the respective arrangements which might be put in place by the Registrar and the Prosecutor for the purposes of such implementation*"⁵
5. The Prosecution makes the present filing in order to update both the Chamber and the Registry on the current arrangements being made to facilitate the initial appearance of the two suspects.

Current Status of Arrangements for the implementation of the Chamber's Decision

6. [REDACTED].
7. [REDACTED].
8. [REDACTED].
9. [REDACTED].
10. [REDACTED].
11. [REDACTED].
12. [REDACTED].

¹ ICC-02/05-03/09-2-US and ICC-02/05-03/09-3-US.

² ICC-02/05-03/09-6-US

³ ICC-02/05-03/09-7-US.

⁴ ICC-02/05-03/09-8-US

⁵ ICC-02/05-03/09-8-US at page 5

13. [REDACTED].

14. [REDACTED].

15. [REDACTED].

16. [REDACTED].

17. In both cases, as soon as the paperwork regarding counsels is secured and the extraction organized, the OTP will provide all the information to the Registry. However, the Prosecution acknowledges that it will have difficulties meeting the deadline of 17 November.

18. [REDACTED].

19. As the Prosecution informed the Chamber in previous filings, it has no reason at this stage to doubt that the difficulties are anything but logistical. The Prosecution respectfully submits that a postponement of the date of initial appearance would be of assistance to ensure the smooth execution of the Judges' Decision issuing summonses. However, the Prosecution submits that if definite solutions are not found during its upcoming mission to the field [REDACTED], the issue will have to be re assessed.

A handwritten signature in black ink, appearing to read 'Mandiaye Niang', with a large, stylized flourish to the left.

Mame Mandiaye Niang, Acting Prosecutor

Dated this 23rd day of October 2026

At The Hague, The Netherlands