

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-02/05-03/09**
Date: **10 October 2019**

TRIAL CHAMBER IV

Before: Judge Kimberly Prost, Presiding Judge
Judge Robert Fremr
Judge Reine Alapini-Gansou

SITUATION IN THE DARFUR, SUDAN

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

Public Redacted Version

“Update to ‘Associate Counsel’s Request to be appointed as Lead Counsel pursuant to Regulation 76 of the Regulations of the Court’”, submitted on 9 September 2019

Source: Charles Achaleke Taku, Lead Counsel for Abdallah Banda

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

The Office of the Prosecutor

Ms. Fatou Bensouda

Mr. Julian Nicholls

Counsel for the Defence

Chief Charles Achaleke Taku

Mr. Anand Shah

Legal Representatives of the Victims

Ms. Hélène Cissé

Mr. Jens Dieckmann

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. Peter Lewis

Counsel Support Section

Dr. Esteban Peralta-Losilla

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. Chief Charles Achaleke Taku, associate counsel (“Associate Counsel”) for Mr. Abdallah Banda Abakaer Nourain (“Mr. Banda”), submits this update to “Associate Counsel’s Request to be appointed as Lead Counsel pursuant to Regulation 76 of the Regulations of the Court”, filed on 27 August 2019 before Trial Chamber IV.¹

2. Associate Counsel respectfully advises the Trial Chamber that on 7 September 2019, during a phone call that took place between Mr. Banda and his defence team (“Defence”) at approximately 17h00, and through the assistance of a Zaghawa interpreter, Mr. Banda provided his verbal consent and authorisation for Associate Counsel to be appointed as his lead counsel in case ICC-02/05-03/09 with immediate effect. [REDACTED].

3. [REDACTED]:
 - i. [REDACTED].
 - ii. [REDACTED].
 - iii. [REDACTED].
 - iv. [REDACTED].
 - v. [REDACTED].² [REDACTED].
 - vi. [REDACTED].
 - vii. [REDACTED].
 - viii. [REDACTED] on 7 September 2019, Mr. Banda gave his verbal consent and authorisation for Associate Counsel’s appointment as his lead counsel before the ICC, with immediate effect.
 - ix. [REDACTED].

¹ ICC-02/05-03/09-658-Conf-Exp (“Regulation 76 Request”).

² See *id.* at paras. 17-20.

4. Associate Counsel respectfully submits the above information for the Trial Chamber's consideration, and maintains his request³ that the Trial Chamber act pursuant to Regulation 76(1) of the Regulations of the Court to acknowledge his appointment, at the very least on an interim basis, as Mr. Abdallah Banda Abakaer Nourain's lead counsel before the ICC.

Respectfully Submitted,



Chief Charles Achaleke Taku
Lead Counsel
for Abdallah Banda Abakaer Nourain

Dated this 10th Day of October 2019
At Maryland, United States of America

³ *Id.* at para. 36.