

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 27 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 update to the Trial Chamber on
Witnesses DAR-OTP-WWWW-0442 and DAR-OTP-WWW-0307”, ICC-02/05-03/09-
233-Conf-Exp, dated 20 October 2011**

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

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Osvaldo Zavala Giler

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

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Reparations Section

☐ Other

Introduction

1. The Office of the Prosecutor (“Prosecution” or “OTP”) provides herein an update to the Trial Chamber IV (“the Chamber”) on the progress in transcribing, ultimately for preparation of a summary in Zaghawa, the re-interview of witness DAR-OTP-WWWW-0442. It also informs the Chamber of developments that delayed its re-interview of witness DAR-OTP-WWWW-0307. Specifically, the [REDACTED]. The OTP is currently making new arrangements to re-interview the witness. The Prosecution also provides a further update on DAR-OTP-WWWW-0307’s security situation and on [REDACTED].

Update on the re-interview of witnesses DAR-OTP-WWWW-0442 and DAR-OTP-WWWW-0307

2. On 12 July 2011, the Prosecution informed the Chamber of its intention to re-interview two Prosecution witnesses whom it proposes to call to testify at the trial - Witnesses DAR-OTP-WWWW-0442 (“W-0442”) and DAR-OTP-WWWW-0307 (“W-0307”).

DAR-OTP-WWWW-0442

3. The Prosecution re-interviewed W-0442 between [REDACTED]. The audiotapes of the re-interview have now been fully transcribed and the Prosecution is currently reviewing them in order to indentify any redactions for the Chamber’s approval. Following the Chamber’s decision, the Prosecution will disclose them to the Defence and commence translation of a summarised version into Zaghawa.

DAR-OTP-WWWW-0307

i. Re-interview

4. [REDACTED],¹ [REDACTED].²

5. [REDACTED].

6. In the interim, however, W-0307 requested the assistance of a lawyer during the interview, so it will be necessary for duty counsel and an interpreter to also obtain [REDACTED] visas. Given the time necessary to obtain those visas and to make the logistical arrangements, the Prosecution envisages that the re-interview of W-0307 cannot likely take place [REDACTED]. As soon as the re-interview of W-0307 is finalised, the relevant audiotapes will be submitted for transcription. The Prosecution estimates that the transcripts will be completed within three to four weeks. Once the transcripts are ready, the Prosecution will propose redactions and submit them to the Chamber for approval. Should the redactions be approved, the Prosecution will disclose the redacted transcripts to the Defence and prepare summaries thereof for translation into Zaghawa.

ii. Security/Protection Status

7. The Prosecution also informs the Chamber of further developments regarding the individual security situation of W-0307. As indicated in its update on 9 September 2011,³ [REDACTED].

¹ [REDACTED].

² [REDACTED].

³ ICC-02/05-03/09-213-Conf-Exp, paragraph 12.

8. In light of these discussions, the Prosecution updated W-0307's [REDACTED]. The Prosecution will inform the Chamber forthwith as soon as W-0307's security situation has been resolved. More significantly, as previously indicated in the Prosecution's 29 July 2011 filing,⁴ the Prosecution understands that [REDACTED].

9. [REDACTED].

Justification for Filing Confidential-Ex Parte

The Prosecution submits that the classification of this filing as *Confidential-Ex Parte - Prosecution and VWU Only* is necessary. The filing provides information about a Prosecution trial witness whose identity and location have not yet been disclosed to the Defence, and addresses specific security-related matters of a confidential nature.

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

Mame Mandiaye Niang, Acting Prosecutor

Dated this 27th day of October 2026

At The Hague, The Netherlands

⁴ ICC-02/05-03/09-185-Conf-Exp, page 6, footnote number 11.