Cour Pénale Internationale

International Criminal Court

Original: **English**

No.: **ICC-02/05-03/09**
Date: **29 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 report to the Pre-Trial Chamber on the unexecuted warrant of arrest for Abdallah Banda Abakaer Nourain", ICC-02/05-03/09-716-US-Exp, dated 30 March 2022

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 Osvaldo Zavala Giler	☐ **Counsel Support Section**
☐ **Victims and Witnesses Unit**	☐ **Detention Section**
☐ **Victims Participation and Reparations Section**	☐ **Other**

I. INTRODUCTION

1. [REDACTED].[1]

2. In the Situation in Darfur, Sudan ("Situation"), an arrest warrant remains unexecuted against Abdallah Banda Abakaer Nourain.[2] The Prosecution confirms that there are no factors that compel it to request the withdrawal of the arrest warrant at this time, and will seise the Chamber with an application for withdrawal of the arrest warrant should the circumstances change.

II. CONFIDENTIALITY

3. This filing is classified as under seal ex parte, available only to the Prosecution, in accordance with the Chamber's instruction.[3]

III. SUBMISSIONS

4. The Prosecution regularly reviews the circumstances underlying the arrest warrants that have been issued at its request. This follows from its duty to act independently as a separate organ of the Court to, inter alia, conduct investigations and prosecutions, and seek the issuance of warrants of arrest under article 58 of the Statute, and in doing so, respect the rights of suspected and accused persons before this Court. [REDACTED]. The Prosecution will continue to keep them under review, in line with the Court's legal framework, and will seise the Chamber with an application for withdrawal of any arrest warrants should the circumstances require it.

5. Following its review, the Prosecution has not identified any factors that compel it to request the withdrawal of the arrest warrant for Abdallah Banda Abakaer Nourain at this time.

[1] [REDACTED].
[2] ICC-02/05-03/09-606. The Prosecutor has recused himself from this case, accordingly this report is filed in the record of the case under the signature of Deputy Prosecutor Nazhat Shameem Khan.
[3] Order, para. 12.

IV. CONCLUSION

6. The Prosecution respectfully submits this information for the Chamber's consideration.

Mame Mandiaye Niang, Acting Prosecutor

Dated this 29th day of October 2026

At The Hague, The Netherlands