

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 8 November 2007

TRIAL CHAMBER I

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge René Blattmann

Registrar: Mr Bruno Cathala

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
THE PROSECUTOR *v.* THOMAS LUBANGA DYILO**

Public

Prosecution's response to the "Requête de la Défense aux fins d'obtention des transcriptions d'audience en simultané en langue française"

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
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Counsel for the Victims

Mr Luc Walleyrn
Mr Franck Mulenda
Ms Carine Bapita Buyangandu

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju-Duval
Ms Caroline Buteau
Mr Marc Desalliers

Background:

1. At the hearing on 1 October 2007, the Legal Representative for Victims a/0001/06 to a/0003/06 raised with the Court the unavailability of a real time transcription of court hearings in the proceedings in French.¹
2. On 24 October 2007, the Defence filed its "Requête de la Défense aux fins d'obtention des transcriptions d'audience en simultané en langue française" ("Defence's Request"),² requesting the Trial Chamber to order the Registry to render possible the simultaneous provision of real time transcripts of court hearings in the proceedings in French.³
3. On 1 November 2007, the Trial Chamber issued its "Order requesting the Registrar to file submissions on the issue of the simultaneous provision of LiveNote in French",⁴ ordering the Registrar to submit written observations on and respond to the Defence's Request by 8 November 2007 at the latest, in order to facilitate the Chamber's consideration of the issue.

Submissions on the issue of simultaneous provision of LiveNote in French

4. The Prosecution supports the Defence's Request. Considering that Article 50(2) provides that the working languages of the Court shall be English

¹ ICC-01/04-01/06-T-52-ENG, edited version, pp 7 and 8.

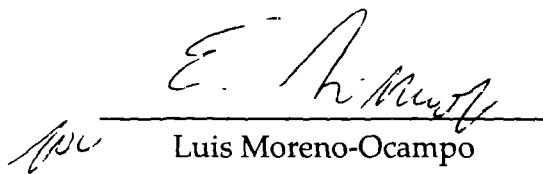
² ICC-01/04-01/06-999.

³ ICC-01/04-01/06-999, at p 4.

⁴ ICC-01/04-01-06-1011.

and French, in the Prosecution's view, all parties and participants to the proceedings as well as the accused should have the same opportunity to follow the real time transcript of the submissions made during court hearings in the language in which they work. The Prosecution notes that French appears to be the preferred language of the Defence team and the Legal Representatives for the Victims. While the working language of the Prosecution's team is English, Prosecution teams in other cases might use French as their working language.

5. Furthermore, the Prosecution submits that, in the interest of making a record of court hearings which is fully accurate, it is desirable for the parties and participants to be able to efficiently examine, in real time, the transcription of submissions made in French and the French interpretation of submissions made in English. In the Prosecution's view, the availability of a real time transcript in French would increase the parties' and participants' ability to respond accurately to each others' submissions and to immediately request corrections to the transcript of submissions made in French and to the French interpretation of submissions made in English which, however infrequent, are unavoidable, despite the best efforts made by the transcribers and interpreters.


Luis Moreno-Ocampo
Prosecutor

Dated this 8th day of November 2007
At The Hague, The Netherlands