

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 7 December 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 redacted and formatted version

**Prosecution's further information on the languages to be used in the
proceedings**

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Ekkehard Withopf, Senior Trial Lawyer

Counsel for the Defence

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

Legal Representatives for the Victims

a/0001/06 to a/0003/06 and a/0105/06
Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu

Background:

1. In the course of the 4 December 2007 Court hearing, the Trial Chamber ordered the parties and participants to communicate to the Court the languages that their respective witnesses will wish to use when testifying by Friday, 7 December 2007.¹

Information:

2. The Prosecution refers to the information it has provided to date. This information is summarised as follows:
 - (i) The Prosecution anticipates that in addition to English and French, Swahili and Lingala are the languages that require interpretation during the proceedings.
 - (ii) A significant number - an estimated 70% - of the Prosecution's witnesses speak solely Swahili. The Swahili spoken in Ituri appears to be a variant of the standard Swahili spoken in East Africa. REDACTED Lingala.²
 - (iii) All other witnesses speak either English or French; the majority of these witnesses speak French.

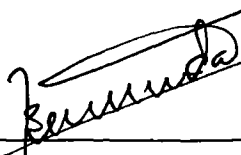
Further details:

3. In light of the Trial Chamber's 4 December 2007 Order, the Prosecution and the Registry's Victims and Witnesses Unit (VWU) tried to contact the REDACTED witnesses who are currently on the Prosecution's trial witness list. Within the time-frame, REDACTED witnesses could be contacted.

¹ Transcript, ICC-01-04-01-06-T-62-ENG (Realtime), at pages 28 and 31.

² Based on the additional information, the number of witnesses who speak Lingala has increased; based on the currently available information, REDACTED prefer to testify in Lingala.

4. On the basis of these inquiries, the Prosecution provides the following further details:³
- (i) REDACTED witnesses prefer to testify in Swahili.
 - (ii) REDACTED witnesses prefer to testify in French.
 - (iii) REDACTED witnesses prefer to testify in Lingala.
5. In respect of the REDACTED witnesses the Prosecution could not contact, the Prosecution anticipates that REDACTED witnesses are likely to prefer testifying in French.
6. The Prosecution undertakes to provide additional information once it established contact with the remaining witnesses.



Luis Moreno-Ocampo
Prosecutor

Dated this 7th day of December 2007
At The Hague, The Netherlands

³ The Prosecution undertakes to permanently update this information.