

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 28 September 2010

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Presiding Judge
Judge Sylvia Steiner
Judge Sanji Mmasenono Monageng

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
THE PROSECUTOR *v.* ABDALLAH BANDA ABAKAER NOURAIN
AND
SALEH MOHAMMED JERBO JAMUS**

Confidential

**Report of the Registrar on Zaghawa interpretation to be provided during the
Confirmation of Charges Hearing**

Source: The Registrar

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

The Office of the Prosecutor

Mr Luis Moreno Ocampo
Mr Essa Faal

Counsel for the Defence

Mr Karim A. A. Khan

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

Ms Silvana Arbia

Defence Support Section

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registrar of the International Criminal Court (the "Court");

NOTING articles 55 (1)(c) and 67(f) of the Rome Statute, rule 42 of the Rules of Procedure and Evidence, and regulations 23 *bis*, 24 *bis* of the Regulations of the Court;

CONSIDERING that Pre-Trial Chamber I (the "Chamber") set the date for the commencement of the confirmation of charges hearing on 22 November 2010;¹

CONSIDERING that during the hearing held by the Chamber on 26 August 2010, the Registry informed the Chamber that a full report on the interpretation for the confirmation of charges hearing will be submitted to the Chamber by the end of September 2010 ²;

REPORTS to the Chamber the following:

1. Since 2005, the Court Interpretation and Translation Section of the Registry (the "STIC") has liaised with the Language Services Unit of the Office of the Prosecutor (the "LSU") in the deployment of several missions and development of projects in order to identify interpreters for the languages anticipated to be required in investigations into alleged crimes committed in Darfur, namely Arabic (Sudanese), Fur, Massalit, Zaghawa, Tama and Dajou. It is found that, among all abovementioned languages, only Arabic and Fur are "written" languages.

¹ ICC-02/05-03/09-T-4-ENG, pages 18 and 19

² ICC-02/05-03/09-T-7-ENG, page 19

2. After Zaghawa was identified to be spoken by the 2 suspects following the issuance of the "*Second Decision on the Prosecutor's Application under Article 58*"³, the STIC has intensified the efforts on the search for qualified Zaghawa interpreters. However, major obstacles have been encountered by the Registry during the process.

The scarcity of Zaghawa interpreters

3. First of all, Zaghawa is a rare language which is only spoken by approximately 200,000 speakers of Zaghawa in total including approximately 75,000 in Sudan and 87,000 in Chad. In addition, after several missions aiming to identify potential Zaghawa interpreters, it is found that the level of English or French of the general Zaghawa speaking population is low and thus only few candidates were found to have sufficient knowledge of English, French or Arabic qualifying them to be trained by the Court to perform Courtroom Zaghawa interpretation.

The result of the security vetting of the candidates

4. In accordance with the assessment by the Security and Safety Section, many of the few above-mentioned candidates identified by the STIC who have sufficient knowledge of English or French failed the Court security vetting on the following grounds:
 - Unsuitable association;
 - Severe trauma and
 - Risks to family still living in the conflict.

³ ICC-02/05-03/09-1

Training programme for Zaghawa interpreters

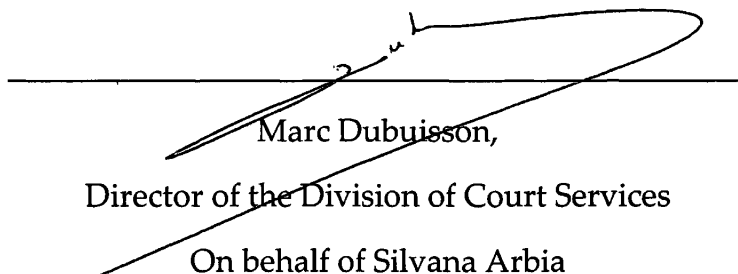
5. The recruitment procedure of Zaghawa Courtroom interpreters has been initiated and by the end of the third week of October 2010, the STIC expects to receive a short list of candidates qualified to take the aptitude test as well as the interviews after the aptitude test. A training programme has been designed for the interpreters selected as a result of the recruitment and is expected to commence at the beginning of November 2010 at the earliest. It should be emphasised that, to enable the interpreters selected to perform Courtroom interpretation, training spanning for 6 months is required.
6. To date, the candidates spotted by the STIC are potentially qualified for field interpretation in Zaghawa including the 2 field interpreters who provided interpretation during the first appearance of the 2 suspects. It should be noted that Courtroom interpretation, different from field interpretation, demands much higher level of skills as well as precision and would require significantly longer period of preparation and training.
7. Considering the general low level of English, French of the applicants that the STIC has interviewed during several missions, it can be foreseen that the interpreters selected out of the recruitment may also need intensive English or French course in addition to the training for interpretation.
8. In terms of the training for interpretation, the fact that Zaghawa is not a "written" language has caused significant difficulties. A STIC Arabic translator who has started learning Zaghawa few weeks ago reports that it is a rather difficult language to learn due to the lack of written Zaghawa as well as that it is not as close to Arabic as originally thought.

Conclusion

9. The Registry will report back to the Chamber on the status of the recruitment of Zaghawa Courtroom interpreters to provide interpretation during the confirmation of charges hearing by the end of October 2010. However in any case, the interpreters selected from the recruitment will require training for 6 months for Courtroom interpretation which is estimated to commence in November 2010 at the earliest. Therefore, the Registry wishes to respectfully bring the attention of the Chamber to the difficulties which the Registry has currently encountered recruiting Zaghawa trainee interpreters and the period of time which is required for the training for Zaghawa interpretation. Should the Chamber request the training to be shortened to 4 months, the STIC will endeavour to accommodate the request with reservations regarding the quality of interpretation.

SUBMITS the present document *confidential* due to the information provided in this report relates to the identities of the candidates for Zaghawa interpreters who have been interviewed by the STIC during several missions;

RESPECTFULLY SUBMITS;



Marc Dubuisson,
Director of the Division of Court Services
On behalf of Silvana Arbia
Registrar

Dated this 28 September 2010

At The Hague, the Netherlands