

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09

Date: 1 July 2011

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Silvia Fernández de Gurmendi

SITUATION IN DARFUR, SUDAN

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

Public Document

Order to the Registry to commence training of Zaghawa interpreters

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

The Office of the Prosecutor

Mr Luis Moreno-Ocampo
Ms Fatou Bensouda

Counsel for the Defence

Mr Karim A.A. Khan
Mr Nicholas Koumjian

Legal Representatives of Victims

Mr Brahima Koné
Ms Hélène Cissé
Mr Akin Akinbote
Mr Frank Adaka
Sir Geoffrey Nice & Mr Rodney Dixon

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others
Ms Alexandra Tomić

TRIAL CHAMBER IV, in the case of *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*, issues the following Order to the Registry to commence training of Zaghawa interpreters:

1. On 19 April 2011, the Chamber held a status conference to prepare for the commencement of the trial. During the status conference, the parties and the Registry made submissions, *inter alia*, regarding interpretation into Zaghawa, the language of the accused.¹
2. On 24 May 2011, the Registry filed a report, seeking the Chamber's guidance in relation to the languages used during the proceedings.² On 27 June 2011, the Registry reiterated its request for guidance by way of email, in particular as to whether the training programme for Zaghawa interpretation should be initiated.³
3. The Chamber recalls the right of the two accused to a fair and expeditious trial, and in particular their right to have, free of any cost, the assistance of a competent interpreter, in accordance with Article 67(1)(f) of the Rome Statute ("Statute").
4. The Chamber notes that no fully trained interpreters from and into Zaghawa are available at this stage.⁴
5. Given the Chamber's duty to "ensure that a trial is fair and expeditious and is conducted with full respect for the rights of the accused" under Article 64(2) of the Statute, and the need to set a date for the commencement of the trial within a

¹ Transcript of hearing on 19 April 2011, ICC-02/05-03/09-T-10-ENG CT, page 22, lines 2 to 4.

² Report of the Registrar pursuant to regulation 24*bis* of the Regulations of the Court concerning on [sic] the issue of languages to be used in the proceedings, 24 May 2011, ICC-02/05-03/09-150.

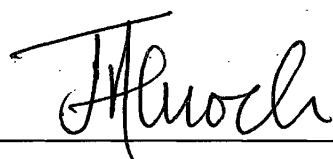
³ Email communication from the Registry to the Chamber through the Legal Advisor to the Trial Division on 27 June 2011.

⁴ Report of the Registrar in response to the questions in the agenda of the status conference scheduled for 19 April 2011, 14 April 2011, ICC-02/05-03/09-129, paragraph 6.

reasonable time, practical preparations for the provision of interpretation of the proceedings for the benefit of the accused need to be undertaken immediately.

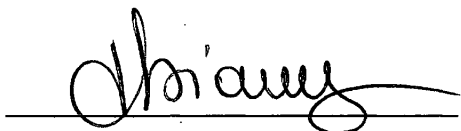
6. Therefore, the Chamber hereby **ORDERS** the Registry, pursuant to Articles 64(2), 64(6)(f) and 67(1)(f) of the Statute immediately to commence the necessary training of Zaghawa interpreters. The Chamber will consider the type of interpretation to be provided at trial, whether consecutive or simultaneous, in due course.

Done in both English and French, the English version being authoritative.



Judge Joyce Aluoch

Presiding Judge



Judge Fatoumata Dembele Diarra



Judge Silvia Fernandez de Gurmendi

Dated this 1 July 2011

At The Hague, The Netherlands