

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 16 August 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 on translation of witness statements

Decision 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 Brahim 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

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Following the oral instruction of Trial Chamber IV (“Chamber”) during the status conference held on 12 July 2011,¹ the Office of the Prosecutor (“prosecution”)² and the defence for Messrs Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus (“defence”)³ filed written submissions on the issue of the translation of incriminatory evidence on 8 August 2011.

The Chamber has taken note of the respective filings of the prosecution and the defence. Pursuant to Articles 64(2), 64(3)(a), and 67 of the Rome Statute and Rule 76 of the Rules of Procedure and Evidence, the Chamber has decided to instruct the prosecution immediately to start translating into Zaghawa the witness statements which it intends to rely upon for the purposes of the trial. Considering the urgency of the matter and its potential impact on the expeditiousness of the proceedings, the determination of the Chamber is communicated by way of this Order. Written reasons will be issued in the near future.

¹ Transcript of hearing held on 12 July 2011, ICC-02/05-03/09-T-12-ENG ET WT, page 15, lines 16 to 23.

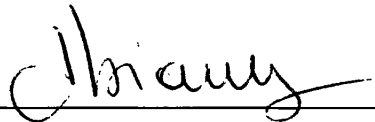
² Prosecution’s Proposals on the Issue of Translation, 8 August 2011, ICC-02/05-03/09-192.

³ Defence Submission on the Translation of Incriminatory Evidence, 8 August 2011, ICC-02/05-03/09-195.

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 16 August 2011

At The Hague, The Netherlands