

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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No.: ICC-02/05-03/09
Date: 20 February 2012

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

**Fifth Joint Prosecution and Registry's Monthly Report on Translation and
Interpretation Issues**

Source: Office of the Prosecutor
Registry

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

The Office of the Prosecutor

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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

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**Court Interpretation and Translation
Section**

Ms. Alexandra Tomic

I. Introduction

On 8 September 2011, the Trial Chamber ("Chamber") ordered the Prosecution and Registry to file monthly reports on the recruitment and training of Zaghawa interpreters and the translation of witness statements into Zaghawa.¹ The Prosecution and Registry filed their first joint report on 20 October 2011², their second on 21 November 2011 ("Second Joint Report")³, their third on 20 December 2011 ("Third Joint Report")⁴, and their fourth on 20 January 2012 ("Fourth Joint Report")⁵. The Prosecution and Registry hereby submit their fifth monthly report.

II. Submissions of the Registry and the Office of the Prosecutor

(i) Update on the Registry's Training and Recruitment of Zaghawa trainees in the paraprofessional training programme

1. The Zaghawa trainees are continuing their training successfully. In addition to exercises in sight translation, consecutive interpretation and simultaneous interpretation, the trainees are honing their skills in the use of electronic tools, particularly how to find relevant documents, save searches and configure filters. The trainees have had to teach themselves how to conduct audio editing. However, since there has been no development regarding the trial date and in view of the severely reduced budget for 2012, the current two trainees will not have their contracts extended beyond their current end of contract which is the end of April 2012. If the trial date is set within a year, provided that funds are made available, the two trainees will be invited to return for a two-month preparation for trial after which they will be able to

¹ ICC-02/05-03/09-211.

² ICC-02/05-03/09-236. The filing was notified on 21 October 2011.

³ ICC-02/05-03/09-257.

⁴ ICC-02/05-03/09-267.

⁵ ICC-02/05-03/09-282. The filing was notified on 23 January 2012.

interpret at the trial as necessary. The two trainees will therefore be let go unless the Registry is instructed by the Chamber to do otherwise.

2. Due to the reduced budget for 2012, no further recruitments have been conducted as there are no funds for additional contracts. One potential trainee has been rostered and one potential trainee candidate will be considered for recruitment once the trial date has been set. At the moment they cannot be recruited as there are no funds. In order to have a team of four interpreters, at the time that the trial date is known, two further trainees – in addition to the two in the paragraph above who will be invited to rejoin the Court - will have to be recruited to be trained for a period of minimum 4 months provided that they have the necessary skills. No other recruitment activities will therefore take place unless the Registry is instructed by the Chamber to do otherwise.

(ii) Update on the Registry's Translation of Prosecution's Witness Statements into Zaghawa

3. The Registry has continued the translation of the witness statements. So far a total of six statements (relating to four witnesses⁶) have been uploaded⁷. Such a translation is labour intensive as the translation of each statement consists of preparation for sight-translation that will be recorded, the recording of statement itself, editing of the recording (quality check and re-recording if necessary), cutting into paragraphs of the audio file, renaming the files to fit

⁶ Witnesses DAR-OTP-WWWW-0446, DAR-OTP-WWWW-0416, DAR-OTP-WWWW-0417 and DAR-OTP-WWWW-0419.

⁷ The Evidence Registration Number (ERN) of witness DAR-OTP-WWWW-0446's statement is DAR-OTP-0169-0808; the ERN of witness DAR-OTP-WWWW-0416's statements are DAR-OTP-0165-0381 and DAR-OTP-0169-0002; the ERN of witness DAR-OTP-WWWW-0417's statement is DAR-OTP-0165-0424, and the ERN of witness DAR-OTP-WWWW-0419's statements are DAR-OTP-0165-0489 and DAR-OTP-0168-0168.

the TRIM conventions, and uploading into TRIM. The OTP has access to the shared TRIM folder. It is noteworthy that the majority of the statements are uploaded divided into paragraphs to facilitate the redactions to be done by the OTP and to facilitate subsequent TRIM searches. The witness statements so far have been done in two versions of Zaghawa dialects (named A and B) but because this is too time consuming, this practice will now cease and subsequent statements will be done in one Zaghawa dialect only.

(iii) Update on the OTP's Translation of Witness Statements into Zaghawa

4. On 2 February 2012, the Registry started to electronically transmit audio-files containing the sight-translation of six statements of four Prosecution witnesses to the OTP by uploading them on to the Court's document management system, TRIM. Up until 17 February 2012, the OTP continued to consult with the Registry concerning the organisation and titling of the audio files, amongst other things, to enable the redaction process to commence so that material can be disclosed to the Defence and the Accused persons.
5. It is anticipated that the redaction process will commence during the week of 20 February 2012, after which the Prosecution will disclose the relevant audio-files to the Defence on a rolling basis. In light of the unprecedented technical complexities involved in redacting multiple audio-files in the Zaghawa language, the Prosecution will be in a position to provide the Chamber with an estimate of the time required to complete the process only in the next monthly joint filing.

(iv) Update on the OTP's Efforts at Recruitment of Zaghawa Language Assistants

6. Since joining the OTP on 16 January 2012, the Zaghawa Language Assistant has undergone groundwork training and has again performed satisfactorily in the initial one-month probation period mentioned in the Fourth Joint Report⁸. Consequently, his contract was renewed for an additional month, during which it is expected that while undergoing further training, he will be able to commence the redaction process of the aforementioned six Prosecution witness statements.

7. With respect to the further recruitment drives mentioned in the previous joint reports, the OTP has still been unable to interview the remaining applicant from the second vacancy announcement due to his persistent travel and visa impediments⁹. As for the third vacancy announcement referred to in the Fourth Joint Report¹⁰, following the pre-screenings of the two candidates mentioned therein due to their limited availabilities, the OTP was only able to conduct their face-to-face interviews on 31 January and 14 February 2012 respectively. Their suitability for the position is currently being evaluated by the OTP language services.

8. Three candidates applied in response to the fourth vacancy announcement, which expired on 5 February 2012¹¹. Two of these were pre-screened on 13 February 2012. One of them was unsuccessful in the pre-screening while the other was interviewed and underwent a further language evaluation on 17 February 2012. The third applicant is under consideration.

9. The recruitment processes require that the three interviews conducted as part of the third and fourth vacancy announcements be collated into a single

⁸ ICC-02/05-03/09-282, paragraph 4.

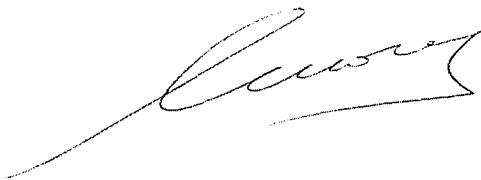
⁹ *Ibid.*, paragraph 5.

¹⁰ *Ibid.*, paragraph 6.

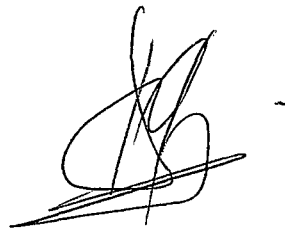
¹¹ *Ibid.*, paragraph 7.

report. Since the applicant who was successful in the pre-screening from the fourth round of recruitment could not be interviewed until 17 February 2012, the final report could not be finalised by the date of this filing.

10. The Prosecution will update the Chamber on the progress made in the translation of the witnesses' statements, the redaction of already translated statements, and on its recruitment drives in the next monthly joint report.



Luis Moreno-Ocampo, Prosecutor



Didier Daniel Pereira, Deputy Registrar
For Silvana Arbia, Registrar

Dated this 20th day of February 2012

At The Hague, The Netherlands