

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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

Date: **20 July 2012**

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Silvia Fernández de Gurmendi
Judge Chile Eboe - Osuji

SITUATION IN DARFUR, SUDAN

IN THE CASE OF THE PROSECUTOR v. ABDALLAH BANDA ABAKAER

NOURAIN AND SALEH MOHAMMED JERBO JAMUS

Public Document

First Prosecution Report on Translation and Interpretation Issues

Source: Office of the Prosecutor

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

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Introduction

1. On 8 September 2011, the Trial Chamber (“The Chamber”) ordered the Prosecution and the 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 2011,² and filed additional reports every month thereafter.
2. On 11 July 2012 during a Status Conference, the Chamber decided that the monthly joint reports were no longer necessary and could be suspended³ but instructed the Prosecution “to continue submitting monthly reports on the translation into Zaghawa by the Prosecution, (...) of the Prosecution witnesses’ statements to be relied on at trial and its disclosure to the Defence”.⁴ Accordingly, the Prosecution hereby submits its first report on translation and interpretation issues.

I. Update on the OTP’s Translation of Witness Statements into Zaghawa

3. Since the most recent Ninth Joint Report, filed on 20 June 2012,⁵ the Prosecution has completed the audio-translation into Zaghawa of three more statements relating to three Prosecution witnesses.⁶ An additional statement will be completed shortly after 20 July 2012.⁷ The Prosecution expects to be in a position to disclose these four statements to the Defence during the week commencing on 23 July 2012.

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-T-17-ENG, page 51, lines 22 to 24.

⁴ *Ibid.*, page 51, lines 19 to 21.

⁵ ICC-02/05-03/09-352.

⁶ Those of Witness P-0420 (DAR-OTP-0165-0521), of Witness P-0446 (DAR-OTP-0176-0018), and of Witness P-0315 (DAR-OTP-0174-0334).

⁷ This statement is the second one provided by Witness P-0315.

4. The Prosecution anticipates that by its next update on 20 August 2012, it will have completed and disclosed the Zaghawa audio translations of the four remaining statements that the OTP collected from witnesses it intends to rely upon at trial pursuant to Rule 111.⁸ The Prosecution will then proceed to audio-translate the remaining items of incriminating evidence falling within the scope of Rule 76(1) and (3)⁹ as outlined in its oral submissions before the Chamber on 11 July 2012.¹⁰ The Prosecution will inform the Chamber of its progress in the next monthly report on 20 August 2012.



Fatou Bensouda

Prosecutor

Dated this 20th day of July 2012

At The Hague, The Netherlands

⁸ ICC-02/05-03/09-T-17-ENG, page 44, lines 10 to 13.

⁹ *Ibid.*, page 44, lines 14 to 25, page 45 lines 1 to 8.

¹⁰ *Ibid.*, page 44, lines 15 to 15, page 45 lines 1 to 8.