

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 21 January 2013

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

Seventh Prosecution Report on Translation 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, Trial Chamber IV (“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 in the months thereafter.

2. On 11 July 2012 during a Status Conference, the Chamber decided that the joint monthly reports were no longer necessary and could be suspended,³ but instructed the Prosecution alone to continue submitting monthly reports updating on the translation into Zaghawa of the Prosecution witness statements and related materials to be relied on at trial and their disclosure to the Defence.⁴ The Prosecution submitted its “First Report on Translation and Interpretation Issues” on 20 July 2012,⁵ its second report on 21 August 2012,⁶ its third report on 20 September 2012,⁷ its fourth report on 22 October 2012,⁸ its fifth report on 20 November 2012⁹ and its sixth on 20 December 2012.¹⁰ The Prosecution hereby submits the Seventh Report on Translation Issues.

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 ICC-02/05-03/09-T-17-ENG, page 51, lines 19 to 21.

⁵ ICC-02/05-03/09-369.

⁶ ICC-02/05-03/09-382.

⁷ ICC-02/05-03/09-395.

⁸ ICC-02/05-03/09-408.

⁹ ICC-02/05-03/09-424.

¹⁰ ICC-02/05-03/09-432.

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

3. As notified in the last report,¹¹ the Prosecution has continued the audio-translation into Zaghawa of the remaining items of incriminating material falling within the scope of Rule 76(1) and (3). The translation of Witness P-0442's two interview transcripts is almost completed. Since the last update,¹² the Prosecution has audio-translated four additional parts - totalling 152 pages.¹³ In effect, 20 parts (totalling 622 pages) of the 21-parts of the interviews have now been fully audio-translated into Zaghawa. The Prosecution expects to complete the last part of interview transcripts of the witness P-0442¹⁴ in the week commencing 21 January 2013. As soon as the audio-translation is completed, the Prosecution will start disclosing the translations to the Defence.

4. As anticipated,¹⁵ the Prosecution will then start audio-translating the transcript of Witness P-0307's interview¹⁶ and anticipates completing that task by mid-February 2013.

5. The Prosecution also continues audio-translation of the second of the three remaining categories of material falling within the scope of Rule 76(1) and (3), i.e. sketches, pictures, x-rays, medical reports annexed to certain witness statements, as well as transcripts of videos. Beside the two annexes already translated,¹⁷ the Prosecution also completed audio-translation of the templates (totalling 20 pages) for the victims' applications relating to the dual status witnesses.¹⁸

¹¹ ICC-02/05-03/09-432, para 3.

¹² ICC-02/05-03/09-432, para 3.

¹³ DAR-OTP-0172-0304, DAR-OTP-0172-0570, DAR-OTP-0172-0614 and DAR-OTP-0172-0345.

¹⁴ DAR-OTP-0181-0469.

¹⁵ ICC-02/05-03/09-432, para 4.

¹⁶ DAR-OTP-0158-0026, DAR-OTP-0158-0073, DAR-OTP-0158-0115, DAR-OTP-0158-0150, DAR-OTP-0158-0182, DAR-OTP-0158-0203 and DAR-OTP-0158-0222.

¹⁷ DAR-OTP-0170-0238 and DAR-OTP-0174-0358.

¹⁸ ICC-02/05-03/09-50-Conf-Exp-Anx26; ICC-02/05-03/09-50-Conf-Exp-Anx27; ICC-02/05-03/09-50-Conf-Exp-Anx68; ICC-02/05-03/09-50-Conf-Exp-Anx76; ICC-02/05-03/09-50-Conf-Exp-Anx80; ICC-02/05-03/09-50-Conf-Exp-Anx81.

6. The Prosecution completed the audio-translation of the transcripts relating to witnesses who testified in *Prosecutor v Bahar Idriss Abu Garda*,¹⁹ while the audio-translation of the prior testimony of witness P-0445 (who testified in *Prosecutor v. Jean-Pierre Bemba Gombo*) will be completed by the end of March 2013.

7. It is still anticipated that all of the remaining material will be translated by the end of March 2013.²⁰ The Prosecution will update the Chamber on its progress in the next monthly report due by 20 February 2013.



Fatou Bensouda

Prosecutor

Dated this 21st day of January 2013

At The Hague, The Netherlands

¹⁹ P-0416: DAR-OTP-0180-0002, P-0446: DAR-OTP-0180-0070, DAR-OTP-0180-0148 and P-0445: DAR-OTP-0180-0200.

²⁰ ICC-02/05-03/09-T-17-ENG, page 45, lines 17-20.