

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-02/06

Date: 1 May 2013

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR V. BOSCO NTAGANDA***

**Public
With one confidential annex**

Report of the Registry on the language proficiency of Bosco NTAGANDA

Source: The Registry

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

The Office of the Prosecutor
Ms Fatou Bensouda

Counsel for the Defence
M Marc Desalliers

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants
(Participation/Reparation)

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States' Representatives

Amicus Curiae

REGISTRY

Registrar
M Herman von Hebel

Counsel Support Section

Deputy Registrar
M Didier Preira

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other
Ms Alexandra Tomic

The Registrar of the International Criminal Court (“the Court”)

NOTING the “Report of the Registry on the voluntarily surrender of Bosco NTAGANDA and his transfer to the Court”, submitted by the Registry on 25 March 2013;¹

NOTING the “Order to the Registry Regarding Bosco Ntaganda’s Language Proficiency” issued by Pre-Trial Chamber II on 18 April 2013;²

CONSIDERING that the Registry was ordered to conduct a “language proficiency test to the suspect in French and another language proficiency test in Kinyarwanda (only reading and writing)”;³

CONSIDERING that the Single Judge instructed the Registry that also a Swahili proficiency test is to be taken from M. Ntaganda.⁴

CONSIDERING that the Registry further found information from public sources according to which M. Ntaganda may also have some skills in English;

CONSIDERING that the Chief of the Court Interpretation and Translation Section composed a panel which consisted of the following persons: the Head of the Terminology and Reference Unit, three interpreters possessing the necessary qualification in French, Kinyarwanda and Swahili respectively and an administrative assistant.

¹ ICC-01/04-02/06-44-Conf-Exp;

² ICC-01/04-02/06-50;

³ ICC-01/04-02/06-50, page 7

⁴ By email Senior Legal Officer of the pre-trial Division on 22 April 2013 at 16.30 hours.

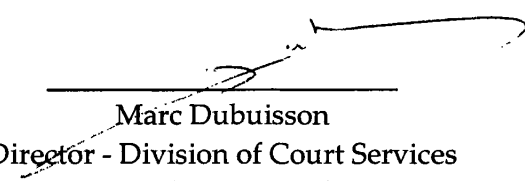
CONSIDERING that M. Ntaganda and his Counsel were not informed, prior to the assessment, that the proficiency of M. Ntaganda in Swahili would also be tested. As a result, Counsel could not consult with his client prior to the assessment.

CONSIDERING that, after a brief introduction by the Deputy Chief Custody Officer, the language proficiency assessment took place at the ICC Detention Centre on Friday 26 April 2013 from 10.40 hours until 13.25 hours. Next to the Registry panel and M. Ntaganda, also his Counsel, M. Desalliers, was present during the assessment.

Respectfully, **TRANSMITS**, to the Chamber, the assessment on M. Ntaganda's language proficiency, as a confidential annex to this present document. The Registry has classified the annex as confidential as it contains the names of staff members.

The Registry apologises to the Presiding Judge and Counsel for M. Ntaganda for not having informed M. Ntaganda on the Swahili proficiency test in due time.

The Registry finally avails itself for any further language tests, as the Chamber may require.



Marc Dubuisson
Director - Division of Court Services
per delegation of
Herman von Hebel
Registrar

Dated this 1 May 2013

At The Hague, The Netherlands