

**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,<sup>1</sup> the Office of the Prosecutor (“prosecution”)<sup>2</sup> and the defence for Messrs Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus (“defence”)<sup>3</sup> 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.

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

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

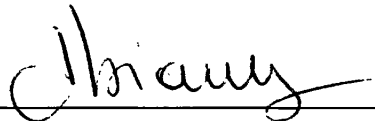
<sup>3</sup> Defence Submission on the Translation of Incriminatory Evidence, 8 August 2011, ICC-02/05-03/09-195.

Done in both English and French, the English version being authoritative.



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**Judge Joyce Aluoch**  
**Presiding Judge**



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**Judge Fatoumata Dembele Diarra**



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**Judge Silvia Fernandez de Gurmendi**

Dated this 16 August 2011

At The Hague, The Netherlands