



UNITED NATIONS
NATIONS UNIES

ICTR-98-44-T
22-6-2009
(46281-46279)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

46281
HM

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Gberdao Gustave Kam
Vagn Joensen

Registrar: Adama Dieng

Date: 22 June 2009

THE PROSECUTOR

v.

Édouard KAREMERA
Matthieu NGIRUMPATSE
Joseph NZIRORERA
Case No. ICTR-98-44-T

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**ORDER DIRECTING THE PARTIES TO FILE SUBMISSIONS REGARDING THE
TRANSLATION OF TRIAL EXHIBITS**

Rule 54 of the Rules of Evidence and Procedure

Office of the Prosecution:

Don Webster
Saidou N'Dow
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Dior Diagne Mbaye and Félix Sow

Defence Counsel for Matthieu Ngirumpatse

Chantal Hounkpatin and Frédéric Weyl

Defence Counsel for Joseph Nzirorera

Peter Robinson and Patrick Nimy Mayidika Ngimbi

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1. Throughout the trial proceedings in the present case, the Chamber has admitted a significant number of exhibits tendered by the Prosecution and the three Defence Teams. Exhibits have been submitted in English, French and Kinyarwanda.¹ Not all members of the Trial Chamber, Prosecution Team or Defence Teams, or the Accused, however, are fluent in each of the three languages, nor is there a common fluent language amongst the various parties involved.

2. Pursuant to Rule 54 of the Rules, the Chamber may, *proprio motu*, issue such orders as it deems necessary for the purposes of an investigation or for the preparation or conduct of trial. The Chamber considers the translation of certain of the trial exhibits admitted in this case or passages therein necessary for the conduct of the trial² as it would assist the Chamber in the evaluation of the evidence before it³ as well as assist the Parties in the preparation of their closing briefs and arguments. Further, because such evidence has already been admitted before the Trial Chamber, the translation of parts of these exhibits is not equivalent to the admission of new evidence.⁴ Finally, the Chamber notes that this Order is made as part of its on-going efforts to expedite the proceedings by limiting the impact of language issues.⁵

¹ The Chamber notes, in particular, that the following exhibits are only available in English: P-042, P-044, P-045, P-046, P-047, P-127, DK-009, DK-062, DK-063, DK-131, DNG-15, DNG-69, DNZ-050 and DNZ-084. It also notes that the following exhibits are only available in French: P-027, P-049, P-050, P-065, P-074, P-138, P-139, P-189, P-205, P-211, P-212, P-215, P-216, P-217, P-218, P-219, P-222, P-223, P-224, P-225, P-256, P-259, P-270, P-271, P-273, P-282, P-284, P-285, P-290, P-291, P-294, P-295, P-296, P-297, P-298, P-300, P-301, P-302, P-310, P-311, P-312, P-314, P-315, P-318, P-321, P-322, P-329, P-340, P-342, P-343, P-346, P-347, DK-001, DK-002, DK-003, DK-004, DK-005, DK-010, DK-11, DK-028, DK-029, DK-033, DK-038, DK-045, DK-046, DK-051, DK-054, DK-055, DK-056, DK-057, DK-059, DK-060, DK-061, DK-064, DK-065, DK-066, DK-067, DK-069, DK-070, DK-072, DK-075, DK-081, DK-082, DK-084, DK-085, DK-098, DK-099, DK-100, DK-124, DK-128, DK-132, DNG-4, DNG-5, DNG-6, DNG-9, DNG-11, DNG-13, DNG-14, DNG-16, DNG-23, DNG-29, DNG-35, DNG-36, DNG-38, DNG-39, DNG-47, DNG-72, DNG-73, DNG-75, DNG-78, DNG-84, DNZ-005, DNZ-006, DNZ-008, DNZ-009, DNZ-010, DNZ-013, DNZ-014, DNZ-015, DNZ-020, DNZ-029, DNZ-035, DNZ-036, DNZ-038, DNZ-058 and DNZ-068.

² *Aloys Simba v. The Prosecutor*, Case No. ICTR-01-76-A, Order for Translation, 3 July 2007; *The Prosecutor v. Pavle Strugar*, Case No. IT-01-41-A, Order for Translation, 3 October 2007.

³ *The Prosecutor v. Édouard Karemera, Matthieu Ngirumpatse and Joseph Nzirorera*, Case No. ICTR-98-44-T (“*Karemera et al.*”), Décision Sur La Requête Du Procureur En Admission Des Traductions Officielles De Certaines Pièces À Conviction Et À Decharge Déjà Admises, 11 June 2009, para. 3.


⁴ *Ibid.*

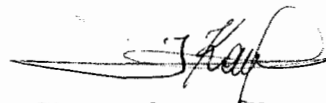
⁵ See, e.g., *Karemera et al.*, Décision sur la requête d'Édouard Karemera aux fins de lui garantir un procès équitable, 28 October 2005, paras 5-13.

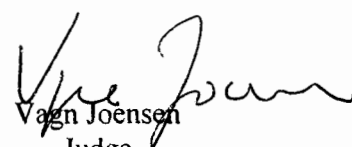
FOR THESE REASONS, THE CHAMBER

DIRECTS the Parties to file submissions regarding the need for the translation of relevant parts of trial exhibits or the entirety thereof, already admitted at the present date, by Friday 31 August 2009, close of business.

Arusha, 22 June 2009, done in English.


Dennis C. M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

[Seal of the Tribunal]

