

**MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA**

UNITED STATES OF AMERICA

v.

**ENCEP NURJAMAN;
MOHAMMED NAZIR BIN LEP;
MOHAMMED FARIK BIN AMIN**

AE 0028.009 (GOV)

**Government Notice
of Updated Interpreter Support Plan**

1 February 2022

1. Timeliness

This notice is timely filed pursuant to AE 0028.007 (TJ), Order, stating that “[n]o later than 1 February 2022, the Government will provide an updated Interpreter Support Plan for the 28 February–4 March 2022 hearing.”

2. Procedural History

On 10 January 2022, the Government filed a notice informing the Commission that only two interpreters were available for the upcoming 28 February–4 March 2022 hearing, an Indonesian interpreter and a Malay interpreter.¹ On 19 January 2022, the Commission ordered the Government to file an updated interpreter support plan no later than 1 February 2022, identifying “at least 2 interpreters for each language who will be available to support the Commission during the upcoming hearing either from [Naval Station Guantanamo Bay] NSGB, Cuba or remotely from a location in the National Capital Region.”² The Commission further ordered that “[a]ll interpreters will possess appropriate security clearances and [be] screened for potentially disqualifying work histories.”³

¹ See AE 0028.006 (GOV), Government Notice Regarding Status of Commission Interpreter Support, filed 10 January 2022.

² See AE 0028.007 (TJ) at 3.

³ *Id.*

In the same order, the Commission ordered the Government to coordinate with the Office of Military Commissions (OMC) for an analysis of the Malaysian interpretation of the 30–31 August hearing by an interpreter who does not work for the Prosecution or the Defense.⁴ The Commission ordered that the assessment will be provided to all Parties no later than 8 February 2022.⁵

3. Notice

The Government hereby provides an updated interpreter support plan to interpret the proceedings of the Commission scheduled to commence on 28 February 2022. OMC has employed four part-time interpreters to support this Commission,⁶ but two of these interpreters are not available for the upcoming hearing. Despite OMC's efforts to identify additional interpreters to support the 28 February–4 March 2022 hearing, it has been unable to identify two additional interpreters with appropriate security clearances.⁷

The Commission interpreters previously identified in Attach. B and Attach. C of AE 0028.006 (GOV) remain the only available interpreters for the 28 February–4 March 2022 hearing. Additionally, although the Malay Commission Interpreter identified in Attach. C of AE 0028.006 (GOV) is qualified to perform simultaneous interpretation, based on an analysis of the 30–31 August hearing completed by an interpreter who does not work for the Prosecution or the Defense,⁸ OMC recommends utilizing this interpreter for consecutive interpretation for a

⁴ *Id.*

⁵ *Id.*

⁶ On 10 January 2022, the Government noticed the Commission that OMC identified five interpreters with appropriate security clearances who could potentially provide Indonesian or Malay interpreter support at future hearings. *See* AE 0028.006 (GOV) at 2. One of these interpreters, identified in Attach. F of AE 0028.006 (GOV), is not located in the National Capitol Region (NCR) and is unable to travel to the National Capital Region or NSGB for the foreseeable future. Therefore, OMC does not intend on relying on this interpreter for future hearings.

⁷ OMC has identified three additional part-time interpreters; however these three interpreters do not yet have the requisite security clearances necessary to support this Commission.

⁸ In accordance with the Commission's order, OMC tasked an interpreter who does not work for the Prosecution or the Defense to conduct an analysis of the Malaysian interpretation of the 30–31 August hearing. *See* AE 0028.007 (TJ) at 3. The assessment is attached hereto, under

ATTACHMENT A

ATTACHMENT B

Filed Under Seal

United States v. Nurjaman et al.

APPELLATE EXHIBIT 0028.009 (Gov)

(Pages 7 - 260)

Under Seal

Attachment B

**APPELLATE EXHIBIT 0028.009 (Gov) is located
in the original record of trial.**

**POC: Chief, Office of Court Administration
Office of Military Commissions**