

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

UNITED STATES OF AMERICA v. ENCEP NURJAMAN; MOHAMMAD NAZIR BIN LEP; MOHAMMED FARIK BIN AMIN	AE 0028.013 (NUR) DEFENSE NOTICE OF OBJECTION To Government's Interpreter Support Plan 4 February 2022
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1. **Timeliness.** This Notice is filed timely in accordance with AE 0028.007 (TJ).¹

2. **Defense Notification.**

The Defense was ordered to file any objections to the interpreters listed in either AE 0028.006 (GOV) or AE 0028.009 (GOV). Mr. Nurjaman objects to moving forward until the government is able to identify a second qualified Bahasa Indonesian court interpreter. Our legal systems require that all accused fully understand the proceedings against them.²

Mr. Nurjaman is an Indonesian by birth whose native language is Bahasa Indonesian. As the Commission previously recognized, using a single interpreter is “inadequate,”³ and is contrary to standard practice in the Commissions.

This Commission has already experienced an unusually large number of challenges related to interpreters. Mr. Nurjaman objects to additional unnecessary complication of future hearings arising from inadequate interpreter support and requests disapproval of any Government

¹ “No later than 8 February 2022, the Defense will file any objections they have to the interpreters identified in AE 0028.006 (GOV) or to those identified by the government in their Updated Interpreter Support Plan.” AE 0028.007 (TJ), at 4.

² R.M.C. 501(d); *See, e.g., Garcia v. Davis*, 2018 U.S. Dist. LEXIS 19801 (S.D. Tex., 2018), finding structural Constitutional errors when a defendant was prevented from having an interpreter in his trial.

³ AE 0028.007 (TJ), at 3.

Interpreter Support Plan that does not comply with the guidance already provided by this Commission.

3. Conclusion.

Mr. Nurjaman objects to the Government's interpreter plan because it only provides for one Bahasa Indonesian interpreter, in violation of this Commission's order and general commissions precedent. The government has had over eighteen years to prepare a case against Mr. Nurjaman, including hiring qualified commissions interpreters as is their duty.⁴

4. Attachment.

A. Certificate of Service, dated 4 February 2022

Respectfully submitted,

//s//
JAMES R. HODES
Lead Defense Counsel

//s//
ERIC S. NELSON
CDR, JAGC, USN
Managing Defense Counsel

//s//
GEOFFREY S. DEWEESE
Lieutenant Colonel, USAR
Detailed Defense Counsel

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CRISTINA D. CURL
Captain, USAF
Detailed Defense Counsel

⁴ *Supra* note 3.

ATTACHMENT A

Certificate of Service

We certify that on **4 February 2022**, we filed **AE 0028.013 (NUR) DEFENSE NOTICE OF OBJECTION** To Government's Interpreter Support Plan with the Office of the Military Commissions Trial Judiciary and served the foregoing on all counsel of record by email.

//s//

JAMES R. HODES
Lead Defense Counsel

//s//

ERIC S. NELSON
CDR, JAGC, USN
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GEOFFREY S. DEWEESE
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CRISTINA D. CURL
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