



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
 Extraordinary Chambers in the Courts of Cambodia
 Chambres extraordinaires au sein des tribunaux cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
 Nation Religion King
 Royaume du Cambodge
 Nation Religion Roi

INTEROFFICE MEMORANDUM

TO: All Judges of the Trial Chamber

Date: 7 March 2014

THROUGH: KONG Sophy
 Chief, Court Management Section

FROM: Lars OLSEN
 Legal Officer, Court Management Section

CC: All parties; Trial Chamber Senior Legal Officer; KORM Chanmony and Charles ZAMA, Interpretation and Translation Unit; Seynabou DIOP, Transcription Unit.

SUBJECT: Correction of Transcripts in Accordance with Rule 97(4)

1. The Trial Chamber previously advised the parties that “[t]o enable the parties to more efficiently seek amendments to straightforward errors in interpretation and transcription, and following consultation with the ITU and the Transcription Unit, the Court Management Section (CMS) has recently circulated a standard operating procedure which will enable corrections to the transcripts to be made directly by those units. The resultant amended transcripts shall then be placed directly on the Case File by CMS, without any need to seek the intervention of the Trial Chamber.”¹
2. After CMS implemented the new procedure, some parties questioned whether it was in compliance with the applicable rules governing the correction of documents on the case file. CMS has therefore reviewed the procedure for correcting transcripts, taking into account Rule 97(4) of the Internal Rules as well as the Practice Direction on Filing of Documents before the ECCC (PD). We have also consulted the Chamber’s Senior Legal Officer.
3. Pursuant to Rule 97(4), the Trial Chamber can determine applications seeking corrections to a transcript. CMS therefore seeks the endorsement from the Trial Chamber to implement the procedure for correcting transcripts as detailed below.

¹ Trial Chamber Memorandum entitled “KHIEU Samphan Defence Motion E195 and envisaged future procedures for correction of transcripts”, E195/1, 24 July 2012, para. 2. ↵

4. A party who alleges that a transcript contains an error shall send a Request for Verification of the transcript² via e-mail to the Transcription Unit, with copy to the Interpretation and Translation Unit and the Case File Officer. The request shall specify the case number, document number, ERN, page and line numbers. It shall also provide a clear explanation of the reason for making the request.
5. If the error is a transcription error, the transcript will be corrected in accordance with Article 3.17 of the PD, and the parties will be notified about the correction.
6. If the error is an interpretation error, the Interpretation and Translation unit will review the excerpts in all three languages and, if deemed necessary, correct one or more versions to ensure consistency among the language versions. The corrected text shall be set out between less than (<) and greater than (>) signs. The transcript(s) will be corrected in accordance with Article 3.17 of the PD, and the parties will be notified about the correction(s). The original transcript without corrections shall be retained on the Case File pursuant to Article 3.17(*bis*). A Portable Transcription Format version of the corrected transcript(s) will be made available to the parties.
7. Following consultation with the Trial Chamber Senior Legal Officer, it is suggested that a footer referring to the corresponding Request for Correction Form on the Case File be inserted on all pages of the corrected transcript(s) to alert readers that the transcript has been corrected. As the PD does not authorise CMS to insert footers in a transcript, corrected or otherwise, implementation of this point would require a formal instruction from the Trial Chamber.
8. CMS has temporarily suspended placing all corrected transcripts on the case file, pending endorsement of the proposed procedure outlined in this memorandum and/or further instructions from the Trial Chamber on this matter

² See Request for Verification of Transcripts Form attached to this memorandum.