



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

ឯកសារដើម

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

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

INTEROFFICE MEMORANDUM

TO: **Judge Nil Nonn, President, Trial Chamber**

Date: 15 August 2012

CC: All Judges of the Trial Chamber; Ms. Susan Lamb, Trial Chamber Senior Legal Officer; Mr. Chanmony Korm, Head, Interpretation and Translation Unit (ITU); Ms Michelle Keating, Senior Coordinator (ITU); Ms Krystal Thompson, Legal Officer, CMS; Ms Seynabou Diop, Head, Transcription Unit.

FROM: **Kong Sophy**
Chief, Court Management Section (CMS)

SUBJECT: **TC Request for ITU Comments on Khieu Samphan Defence Motion E195 and Envisaged Future Procedures for Correction of Transcripts, E195/1.**

1. Reference is made to the above-mentioned Trial Chamber Memorandum requesting ITU to comment on the Khieu Samphan Defence Motion E195, as “according to this Motion a preliminary review of the French version of the transcript reveals a number of errors and omissions due to the simultaneous relay interpretation of the proceedings between Khmer, English and French.”¹
2. At the outset, I would like to draw the attention of the Trial Chamber to correspondence exchanged in Case 001 between the Trial Chamber² and H. E Tony Kranh,³ Acting Director of the Office of Administration, regarding “Defence team’s submission concerning interpretation and the accuracy of the transcript”. The memorandum and its Annex⁴ remain valid today, in particular with respect to relay interpretation and transcript review. The additional safeguards mentioned in the memorandum have been put in place⁵.

¹ E195/1, TC Memorandum, Khieu Samphan Defence Motion E195 and envisaged future procedures for correction of transcripts.

² E69, TC Memorandum, Defence team’s submission concerning interpretation and the accuracy of the transcript (Case 001).

³ E69/1, H.E. Tony Kranh, Interoffice Memorandum, Defence team’s submission concerning interpretation and the accuracy of the transcript (Case 001).

⁴ E69/1.1, Annex, Simultaneous Interpretation at the Extraordinary Chambers in the Courts of Cambodia (Case 001).

⁵ E69/1.1, page 3.

3. Since 2009, the most notable change has been the implementation of the fully fledged training course⁶ mentioned at the end of the Annex. ITU now has three additional interpreters working either English into Khmer or Khmer into English, as well as two interpreters working directly from French into Khmer, but despite all efforts to recruit and train Khmer interpreters who can work directly into French, this has not been possible.
4. The Khieu Sampan defence team identifies a number of excerpts in French from the transcripts of seven separate days of proceedings that it considers inaccurate. ITU has carefully reviewed said excerpts. A more detailed answer appears in the Annex. All of the significant shortcomings identified in the transcripts are now in the process of being corrected.
5. With respect to the last suggestion, I am of the view that it is the prerogative of the President, not the interpreters, to decide who speaks when.
6. CMS and ITU are available to provide additional clarification as required.

⁶ E69/1.1, page 5.