

BEFORE THE TRIAL CHAMBER**EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC/TC**Party Filing:** Mr KHIEU Samphân**Filed to:** The Trial Chamber**Original language:** French**Date of document:** 16 May 2012**CLASSIFICATION****Classification of the document suggested by the filing party:** Public**Classification by the Trial Chamber:** Public**Classification Status:****Review of Interim Classification:****Records Officer's Name:****Signature:**

**Request by Mr KHIEU Samphân's Defence for Review of
the French Transcripts of the Proceedings**

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To:**The Trial Chamber**

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Judge Jean-Marc LAVERGNE

Judge YA Sokhan

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MAY IT PLEASE THE TRIAL CHAMBER**Problems with simultaneous interpretation into French on relay**

1. Since the beginning of the substantive hearings, Mr KHIEU Samphân's Defence has been experiencing problems with the simultaneous interpretation on relay of the trial proceedings. The problem is more acute when witnesses testify in Khmer. The original Khmer version is interpreted two successive times, first from Khmer into English and then from Khmer into French. This leads to errors and omissions.
2. On several occasions, Mr KHIEU Samphân's Defence has made oral requests to the Trial Chamber to instruct witnesses to slow down, and the parties to mark a pause between questions and answers. The aim was to ensure that there is no loss in the substance of the testimonies when interpreted into French.¹ The President regularly recalls these instructions,² an indication that it is a recurrent problem.
3. Whether dealing with a dialogue in Khmer between two speakers or a Khmer-English dialogue, the French interpreter is often unable to complete his/her interpretation before the answer commences. This problem is further compounded by the technical difficulties relating to the fact that the trial proceedings are interpreted in simultaneous mode.³
4. Such difficulties create confusion in the French interpretation which affects the substance of witnesses' testimony. The President has reminded the interpreters to pay particular attention to dates, because if dates are rendered incorrectly, the testimony is distorted.⁴ However, it is impossible to adhere to this in instances where the proceedings have

¹ Hearing of 19 March 2012, **E1/50.1**, p. 44; hearing of 21 March 2012, **E1/52.1**, pp. 8 and p. 11; hearing of 19 April 2012, **E1/64.1**, pp. 46 and p. 54.

² For instance: hearing of 6 December 2012, **E1/17.1**, p. 46; hearing of 12 January 2012, **E1/26.1**, p. 32; hearing of 25 January 2012, **E1/33.1**, pp. 74 and 81; hearing of 26 January 2012, **E1/34.1**, p. 19; hearing of 31 January 2012, **E1/36.1**, p. 11; hearing of 26 March 2012, **E1/53.1**, p. 1; hearing of 9 April 2012, **E1/61.1**, p. 34; hearing of 23 April 2012, **E1/66.1**, p. 62.

³ Hearing of 7 December 2011, **E1/18.1**: interpretation of the proceedings was impeded due to video link-related technical difficulties; hearing of 26 April 2012, **E1/69.1**, p. 2: the beginning of Mr Karnavas' intervention is inaudible due to a busy channel; hearing of 2 May 2012, **E1/71.1**, p. 13: several questions and answers by Mr KONG Sam Onn and Mr SALOTH Ban (TCW-586) were not interpreted into French due to a problem with the channel.

⁴ Examples of incorrect dates: hearing of 11 January 2011, **E1/25.1**, p. 49; hearing of 12 January 2012, **E1/26.1**, pp. 31 and 32; hearing of 29 March 2012, **E1/55.1**, pp. 94 and 95; hearing of 5 April 2012, **E1/60.1**, pp. 15 and 16: during the testimony of Mr KAING Guek Eav, alias *Duch* (TCW-281), Son Sen's date of transfer was incorrectly rendered in the interpretation, as revealed by Mr Pestman.

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already moved forward by the time the French interpreter hears the Khmer-into-English interpretation.

5. Such problems are frequently detected and raised by the parties during the proceedings,⁵ and have the effect of slowing down the proceedings. For example, at the hearing of 25 April 2012, the Defence teams for Mr IENG Sary and Mr KHIEU Samphân raised objections concerning an inconsistency between the French interpretation and the English and Khmer versions of the proceedings concerning the purpose of the visit by Mr SALOTH Ban (TCW-586) visit to Boeung Trabek.⁶

6. Inaccuracies in the French interpretation may prevent parties from raising objections. Moreover, they impair the preparation of the questioning of witnesses in instances where no transcripts are available.

Inaccuracies in the French transcripts of the proceedings

7. Everything that is said during the proceedings must be interpreted. Rule 97(3) of the Internal Rules provides: “*The daily written record of the proceedings prepared by the Greffier shall be deemed to represent faithfully the conduct of the proceedings.*” In view of that, any loss in substance due to interpretation affects the French version of the transcripts of the proceedings.

8. A reading of French transcripts of the proceedings reveals a number of errors and omissions, which may distort the testimony.

9. In a number of instances, which are by no means exhaustive, Mr KHIEU Samphân’s Defence has compared the French transcripts to the Khmer transcripts. In the translations, the highlighted segments were not transcribed in French, while the segments in bold were incorrectly transcribed.

10. Such problems have been detected in the transcripts of the testimony of Mr KAING Guek Eav, alias *Duch* (TCW-281); this is a matter of great concern for Mr KHIEU Samphân’s Defence.

⁵ Hearing of 25 April 2012, **E1/68.1**, p. 76: Judge Lavergne pointed out a mix-up between the names KHIEU Thirith and KHIEU Thirath.

⁶ Hearing of 25 April 2012, **E1/68.1**, pp. 91 to 92.

11. At the hearing of 19 March 2012, no less than five sentences were omitted from the final version of the French transcript.⁷ Those sentences go to the substance of the testimony:

French Transcript

« 5 En 1966, comme vous le savez peut-être, il y a eu des événements
6 importants qui se sont produits. Tout cela nous a permis de
7 comprendre qu'un coup d'État pouvait se produire à n'importe quel
8 moment.

Translation by KHIEU Samphân's Defence Team

En 1966, comme vous vous **souvenez** peut-être, l'Assemblée de la législature de 1966-1970 de Lon Nol a été instaurée. Les forces du Sénat et de l'Assemblée nationale de l'époque étaient complètement pro-lonnolienne. Et j'insiste sur « complètement » sauf trois progressistes : Khieu Samphân, Hou Yun et Hu Nim. A part ces trois personnes, il y avait encore deux forces centristes, celle de Kao San, par exemple. Le reste était entièrement celles de Lon Nol. Tout cela nous a permis de comprendre qu'un coup d'État pouvait se produire à n'importe quel moment.

ITU translation

In 1966, as you may already know, certain important events did occur. That made us realise that a coup d'état could take place at any moment.

Hearing of 19 March 2012, E1/50.1, p. 38.

ITU translation of KHIEU Samphân's Defence Team version

In 1966, as you may **recall**, the 1966-1970 Legislature was established. The forces in the then Senate and Assembly were fully pro-Lon Nol. And I insist on the term "fully", except three progressives, namely Khieu Samphan, Hou Yun and Hun Nim. Apart from these three individuals, there were two other centrist forces, including those of Kao San. The rest were entirely Lon Nol forces. We thus realised that a coup d'état could occur at any moment.

12. In the French version of the transcript of the proceedings of 20 March 2012, there is an omission at line 10,⁸ which concerns an answer by Mr KAING Guek Eav, alias *Duch* (TCW-281), in which he points out that his observations are based on his personal analysis and only reflect his personal opinion.

13. The [French] transcript of the proceedings of 28 March 2012⁹ contains several errors at page 49:

French Transcript

14 En 1967, Khieu Samphân a disparu, de même que Hu Nim. Il
15 s'agissait de membres de la petite bourgeoisie qui étaient des
16 progressistes, et Khieu Samphan recevait des instructions de Pol
17 Pot.

Translation by KHIEU Samphân's Defence Team

En 1967, Khieu Samphan a disparu, de même que Hu Nim. Il s'agissait de membres de la petite bourgeoisie qui étaient des progressistes, et Khieu Samphan recevait des instructions de Pol Pot. Quand j'ai été recruté auprès de Pol Pot, j'ai appris notamment de la part des intellectuels qu'il a été chargé de prendre la tête du Bureau central.

ITU Translation

25 And in 1967, Khieu Samphan disappeared along with Hu Nim. They were members of the petite bourgeoisie who were progressive, and Khieu Samphan used to receive instructions from Pol Pot.

Hearing of 28 March 2012, E1/55.1, pp. 49 and 50

ITU translation of KHIEU Samphân's Defence Team version

In 1967, Khieu Samphan disappeared along with Hu Nim. The two were members of the petite bourgeoisie and were progressive; Khieu Samphan received instructions from Pol Pot. When I was recruited to join Pol Pot, one of the things I was told by the intellectuals is that he was assigned the task of heading the Central Office.

⁷ Hearing of 19 March 2012, **E1/50.1**, p. 40.

⁸ Hearing of 20 March 2012, **E1/51.1**, p. 77, line 10.

⁹ Hearing of 28 March 2012, **E1/55.1**, pp. 49 and 50.

14. At page 92 (of the French transcript):

French Transcript

« 11 Vorn Vet n'a pas voulu prendre parti. Lorsque la
12 décision a été prise d'arrêter Suas Nau, alias Chhouk, le Frère
13 Khieu m'a demandé de préparer plusieurs dossiers.
14 [15.27.35]
15 En fait, il ne m'a pas demandé de le faire, mais moi j'ai
préparé
16 plusieurs dossiers à son attention. J'ai demandé à Pang si le
17 Frère Vorn avait des choses à dire pour empêcher cette
18 arrestation. À la réunion du Comité permanent, Pang m'a dit
que
19 c'était difficile de travailler avec Vorn Vet parce qu'il n'avait
20 rien dit durant la réunion.

ITU translation

Vorn Vet was reluctant to take sides. When the decision was taken to arrest Suas Nau, alias Chhouk, Brother Khieu Samphan asked me to prepare several files. As a matter of fact, he did not ask me to do so, but I went ahead and prepared them for him. I asked Pang if there was anything Brother Vorn had could say to stop the arrest from going ahead. At the Standing Committee meeting, Pang told me that Vorn Vet was difficult to work with, because he said nothing at the meeting.

Hearing of 28 March 2012, E1/55.1, pp. 93 and 94

The translation by KHIEU Samphân's Defence Team differs

Vorn Vet n'a pas voulu prendre parti. Comme les Procureurs ont pu constater dans mes précédentes déclarations lorsque la décision a été prise d'arrêter Suas Nau alias Chhouk, le frère Khieu m'a demandé de préparer 7 dossiers. **Je l'ai fait. En fait, il ne m'a pas ordonné de préparer ces 7 dossiers, je les ai préparés pour lui. Donc, je pense que pour l'arrestation de Chou Chet, membre de plein droit du Comité central, il a fallu une réunion du Comité permanent.** J'ai demandé à Pang si le frère Vorn avait des choses à dire pour empêcher cette arrestation. **Pang m'a dit non, et frère Vorn est très difficile. A chaque réunion, parfois il se mettait assis, il faisait la tête et il ne parlait pas.**

ITU translation of KHIEU Samphân's Defence Team version

Vorn Vet was unwilling to take sides. As the Prosecutors will have noted in my earlier testimony, when the decision was made to arrest Suas Nau alias Chhouk, Brother Khieu asked me to prepare 7 files. **I did so. In fact, he did not order me to prepare the 7 files, I prepared them for him. So I think that for the arrest of Chou Chet, who was a full-rights member of the Central Committee, the Standing Committee must have met.** I asked Pang if there was anything Brother Vorn had could say to stop the arrest from going ahead. **Pang said no, and Brother Vorn was not very easy to deal with. At every meeting, he would sometimes sit down, sulk and not say anything.**

15. At page 96 of the same transcript:

French Transcript

« 13 C'était vers 9 ou 10 heures, le 6 janvier 1974, c'était la
14 réunion au lycée bouddhique Suramarit. Une réunion à propos de
15 l'entrepôt d'État et c'est pourquoi j'ai remarqué... que j'ai su
16 que Bong Hem avait le contrôle d'une autre unité et... d'une
autre
17 cellule, et il ne travaillait pas toujours au même endroit.
18 Par la suite, quand les Vietnamiens sont arrivés et nous nous
19 sommes enfuis, on m'a dit qu'ils étaient sur le site de Ta... ou
du
20 côté de Ta Khang, Ta Khang étant Bong Hem, c'est la même
21 personne.

ITU translation

Around 9 or 10 a.m., on 6 January 1974, during the meeting held at the Suramarit Buddhist High School concerning the state warehouse. This is how I noticed... how I realized that Brother Hem was in charge of another unit and of another cell and... that he did not always work at the same place. Later on, when the Vietnamese came, and we fled, I was told that they went to the Ta site or to the side of Ta Khang, Ta Khang being Brother Hem; it was one and the same person.

Translation by KHIEU Samphân's Defence Team

C'était vers 9 ou 10 heures, le **6 janvier 1979**, c'était la réunion au lycée bouddhique Suramarit. Une réunion à propos de l'entrepôt d'État et c'est pourquoi **j'ai pensé que Bong Hem avait encore le contrôle de cet entrepôt d'État.**

Ceci pour montrer que Bong Hem avait à gérer une unité, que ce n'était pas un bureau qui ne s'occupait que des papiers.

Par la suite, quand les Vietnamiens sont arrivés et nous nous sommes enfuis, on m'a dit qu'ils étaient sur le site de Ta Khang. Je leur ai dit que, de mon côté, on faisait partie aussi de Ta Khang.

Bref, ce sont les histoires que j'ai sues et vécues.

ITU translation of KHIEU Samphân's Defence Team version

It was around 9 or 10 a.m. on **6 January 1979**, at the meeting held at the Suramarit Buddhist High School. A meeting concerning the State warehouse, and this is why **I thought that Brother Hem was still in charge of this State warehouse.**

The point is to show that Brother Hem was in charge of one unit, [and] that the office was not simply in charge of paperwork.

Later on, when the Vietnamese arrived, when we fled, I was told

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that they were at the Ta Khang site. I told them that, on my side, we too were part of Ta Khang.

In short, these are events that I witnessed and experienced.

16. At page 97 of the same transcript:

French Transcript

14 Q. Comment saviez-vous que le lien... comment avez-vous fait le
15 lien entre l'entrepôt d'État et Bong Hem?
16 R. Je connaissais le responsable de l'entrepôt d'État, mais le 6
17 janvier 1979 le chef de cet... quand j'ai vu que le responsable
de
18 cet entrepôt d'État participait à la même réunion sous la
19 supervision de Bong Hem, j'ai compris que Bong Hem en
avait la
20 supervision.

ITU translation

6. Q. How did you know... how did you make the connection between the State warehouse and Brother Hem?

A. I knew the person in charge of the State warehouse, but on 6 January... the manager of the... when I saw the person in charge was attending the same meeting under the supervision of Hem, I interpreted that to mean that Brother Hem was in charge of it.

The translation by KHIEU Samphân's Defence Team differs

14 Q. Comment saviez-vous que le lien... comment avez-vous fait le
15 lien entre l'entrepôt d'État et Bong Hem ?
16 R. Je connaissais le responsable de l'entrepôt d'État, mais le 6
17 janvier 1979 quand j'ai vu que le responsable de
18 cet entrepôt d'État participait à la même réunion sous la
19 supervision de Bong Hem, **il se peut** que Bong Hem en ait la
supervision.

ITU translation of KHIEU Samphân's Defence Team version

Q. How did you know the connection ... How did you establish the connection between the State warehouse and Brother Hem?

A. I knew the manager of the State warehouse, but on 6 January 1979 when I saw the manager of the warehouse at the same meeting under the supervision of Brother Hem, **it may well be** that Brother Hem was in charge of it.

17. This clearly shows that the meaning of the testimonies is distorted. The Defence has attached an annex hereto, which contains a non-exhaustive list of other examples of errors and omissions that went undetected at the hearing.

18. The Defence noted other inaccuracies when other witnesses testified.

19. For example, at the hearing of 25 January 2012,¹⁰ two successive answers of Ms PRAK Yut (TCW-542) were incorrectly interpreted, as revealed by the transcript of the proceedings:

French Transcript

15 R. En ce qui me concerne, j'aidais le secrétaire de la zone, par
16 exemple, j'ai aidé le secrétaire de la zone de Kampot, Ta Phan
17 était à Tuk Meas; et ils étaient dans des endroits différents.
18 Q. Donc, vous souhaitez dire que différentes personnes
avaient
19 différentes responsabilités, dans différents endroits?

Translation by KHIEU Samphân's Defence Team which differs

« Oui, chacun a son rôle. Comme moi, par exemple, j'accompagnais le comité de district de Kampot. Puisque le secrétaire de district de Kampot n'était pas assez cultivé (instruit), je l'ai donc accompagné, je l'ai orienté, je n'étais pas son chef hiérarchique. Il était chef et moi son auxiliaire. Ta Phan était au district de Touk Meas, Ta Sien de Kompong Trâlach, Ta

¹⁰ Hearing of 25 January 2012, **E1/33.1**, p. 80.

20 L'INTERPRÈTE ANGLAIS-FRANÇAIS:
 21 La réponse n'a pas été entendue par l'interprète.
 22 R. (début de l'intervention non interprétée) Kang Chap devait
 23 participer à une réunion à Tuk Meas et à d'autres endroits, là
 où
 24 l'endroit était propice.

Tyn de Chhouk. Nous nous distribuons donc des rôles. Mais là,
 ils sont décédés. Tous décédés.
 Q : Donc vous souhaitez dire que différentes personnes avaient
 différentes responsabilités dans différents endroits ?
 R : Oui.
 Q : Vous souvenez-vous du bureau de la région 35 ? Où se
 trouvait-il ?
 R : Ce n'était pas déterminé.

ITU translation

A. As for me, I used to help the zone secretary, for example, I
 used to help the Kampot zone secretary, Ta Phan was in Tuk
 Pheas, and they were in different areas.
 Q. So you are saying that different people held different
 responsibilities in different place.
 ENGLISH-FRENCH INTERPRETER:
 The interpreter did not hear the answer.
 A. (beginning of the answer not interpreted) Tang Pheas was to
 attend a meeting in Tuk Pheas, and in other locations, where it
 was conducive.

ITU translation of KHIEU Samphân's Defence Team version

Yes, everyone had his role. Me, for example, I accompanied the
 Kampot district committee. Since the Kampot district
 committee secretary was not sufficiently educated, I
 accompanied him, I guided him, I was not his superior. He was
 the Head and I assisted him. Ta Phan was from Touk Meas
 district, Ta Sien was from Kompong Tralach, Ta Tyn was from
 Chhouk. So we shared these roles. But they have since died. All
 of them have died.
 Q: So are you saying that different people had different
 responsibilities in different places?
 R: Yes.
 Q: Do you remember the office for region 35? Where was it
 located?
 A: That was not determined.

20. Finally, to cite a recent example, at the hearing of 25 April 2012,¹¹ during the testimony of Mr SALOTH Ban (TCW-586), the contentious incorrectly interpreted answer was not corrected in the final transcript of the proceedings. The transcript indicates that the witness went to Boeung Trabek to evacuate *soldiers* whereas in fact reference was made to *forces*.

Effect on the integrity of the proceedings

21. The above examples from the transcripts of the proceedings contain no indication of any interpretation issues arising during the proceedings.

22. The Defence wishes to recall that under article 26 of the 2003 Agreement between the United Nations and the Royal Government of Cambodia, and article 45 new of the 2004 ECCC Law, the official working languages of the ECCC are Khmer, English and French.

23. According to Internal Rule 11 governing the Defence Support Section, international lawyers must "*be fluent in Khmer, French or English*".¹² However, all three international lawyers for Mr KHIEU Samphân are French-speaking and are under no obligation to work in another language.

¹¹ Hearing of 25 April 2012, **E1/68.1**, p. 72.

¹² Rule 11(4)(c)(v) of the Internal Rules.

24. Mr KHIEU Samphân's Defence team is a mixed team and includes both Khmer and French speakers; however, it is not the function of the Khmer-speaking members of the team to review transcripts, and neither do they have the time to do so in the middle of the substantive proceedings.

25. The Defence is concerned, having regard to the integrity of the proceedings, that there could be other errors to which it cannot systematically point out.

26. In this regard, article 12 of the Agreement between the United Nations and the Royal Government of Cambodia should be noted:

2. The Extraordinary Chambers shall exercise their jurisdiction in accordance with international standards of justice, fairness and due process of law, as set out in Articles 14 and 15 of the 1966 International Covenant on Civil and Political Rights, to which Cambodia is a party.

27. Internal Rule 21 provides:

1. The applicable ECCC Law, Internal Rules, Practice Directions and Administrative Regulations shall be interpreted so as to always safeguard the interests of Suspects, Charged Persons, Accused and Victims and so as to ensure legal certainty and transparency of proceedings, in light of the inherent specificity of the ECCC, as set out in the ECCC Law and the Agreement. In this respect:

ECCC proceedings shall be fair and adversarial and preserve a balance between the rights of the parties.

28. Respect for the integrity of the proceedings implies that all lawyers have the same documents for the preparation of their client's defence. Now, Mr KHIEU Samphân's international lawyers rely on the French transcripts in preparing the questioning of witnesses. They will also rely on the French versions of the transcripts in preparing their final submissions. This is why it is crucial for the transcripts in French to be beyond dispute, or else the French-speaking members of the team will be put at a disadvantage.

Violation of the rights of the Defence

29. Further, the Defence is concerned about the effect that the errors in the final French transcripts of the hearings have on the fundamental rights of their client and those of the Defence.

30. It is worth quoting article 13 of the Agreement between the United Nations and the Royal Government of Cambodia:

Article 13: Rights of the Accused

1. The rights of the accused enshrined in Articles 14 and 15 of the 1966 International Covenant on Civil and Political Rights shall be respected throughout the trial process. Such rights shall, in particular, include the right: to a fair and public hearing; to be presumed innocent until proved guilty; to engage a counsel of his or her choice; to have adequate time and facilities for the preparation of his or her defence; to have counsel provided if he or she does not have sufficient means to pay for it; and to examine or have examined the witnesses against him or her.

31. Article 35 new of the 2004 ECCC Law:

Article 35 new

[...]

In determining charges against the accused, the accused shall be equally entitled to the following minimum guarantees, in accordance with Article 14 of the International Covenant on Civil and Political Rights:

[...]

e. to examine evidence against them and obtain the presentation and examination of evidence on their behalf under the same conditions as evidence against them.

32. This guarantee is also set out in article 14 of the International Covenant on Civil and Political Rights.¹³

33. Transcripts of trial proceedings constitute witness evidence that is relied upon by the judges in their deliberations. Internal Rule 87 provides that all evidence is admissible in a criminal trial¹⁴ and that “[a]ny decision of the Chamber shall be based only on evidence that has been put before the Chamber and subjected to examination.”¹⁵

34. Now, left unrectified, any errors or omissions in the witness testimonies could affect exculpatory evidence. The international lawyers should be able to question witnesses based on accurate transcripts of the trial proceedings.

35. The Chamber must be aware that, given the complexity of Case 002, a simple error of terminology may lead to an incorrect interpretation of the substance of the testimony.

¹³ Article 14.3.e) of the 1966 International Covenant on Civil and Political Rights.

¹⁴ Rule 87(1) of the Internal Rules.

¹⁵ Rule 87(2) of the Internal Rules.

36. Mr KHIEU Samphân's Defence submits that the rights of the Defence are violated owing to the inaccuracies in the transcripts of the trial proceedings.

Remedies requested

37. Rule 97 of the Internal Rules provides:

3. The daily written record of the proceedings prepared by the Greffier shall be deemed to represent faithfully the conduct of the hearings. However, at any time, recourse to the transcripts and where necessary to the audiovisual recordings may be made in order to supplement or to correct the daily written record.

38. Given the scale and frequency of the errors and omissions which have been noted since the commencement of the trial, Mr KHIEU Samphân's Defence cannot possibly request correction of specific transcripts.

39. Accordingly, Mr KHIEU Samphân's Defence is of the view that it is imperative to review all the French transcripts based on the Khmer transcripts since the commencement of the substantive proceedings. In particular, it is imperative for Mr KHIEU Samphân's Defence to have accurate transcripts of the proceedings when witnesses testify.

40. Further, Mr KHIEU Samphân's Defence wishes to emphasise that technical measures ought to be implemented during hearings with a view to averting any problems stemming from the absence of a pause between answers and questions and from speaking too fast. One way to address this problem could be to install a light signal allowing the last interpreter to indicate the end of his or her interpretation and the release of the microphone to the parties.

41. Mr KHIEU Samphân's Defence considers it important to raise this issue at this stage of the trial, in that witness testimony before the Chamber is increasing in both frequency and volume. We are of the view that this issue can be addressed at this stage of the proceedings before it causes irreparable harm.

FOR THESE REASONS

42. The Trial Chamber is requested:

- TO ORDER A REVIEW of the French version of all the transcripts of the

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proceedings on the basis of the Khmer version of the transcripts of the proceedings since the beginning of the substantive hearings;

- TO IMPLEMENT adequate technical measures during the proceedings with a view to averting any problems stemming from the absence of a pause between answers and questions and from speaking at a high speed.

	KONG Sam Onn	Phnom Penh	<i>[Signed]</i>
	Anta GUISSÉ	Phnom Penh	<i>[Signed]</i>
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