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Translation Problem at the ECCC

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I have had some experience translating the Khmer Rouge historical and legal documents at DC-Cam. With so much pressure, the interpretation/translation team at the ECCC has been hard at work doing their jobs. Translation/interpretation can only be as good as the original statement. My experience in translating interview transcripts suggests that speech in Khmer tend to be incomplete or missing information, especially speech by villagers and traumatized victims. Only people who are familiar with their stories can follow. When a translator tries to replicate this in the target language, listeners might feel it is a translation mistake when in fact that was how it is stated in the original. In addition, as much as Cambodia is going through political and social transitions, Khmer language is also being transformed through trade, the media, civil society interactions and international politics. New ideas and concepts are everywhere in Cambodia, which are not settling down. Both translators and readers are trying to catch up. In Khmer language there is no consensus on legal terminology. I believe that in English, there is such consensus since modern laws have been widely practiced and concepts are written, discussed and used in many formats over and over. Therefore interpreting legal speech from Khmer to English can be daunting because original language might not be clear enough. Interpretation from English to Khmer can also be difficult because the listeners in Khmer might not understand interpreted legal concepts. Of course there are law dictionaries but in special cases confusions can happen.

However, having said that there are a few ways that interpretation at the ECCC might be improved. The interpreters at the ECCC should study speech patterns of people who speak often at the ECCC. They should also study those people's views, positions and their frequently used terminologies. For example, they should study Duch's case file, his biography, the way he speaks, the prison system and related legal terminologies for his particular case. Different interpreters should specialize in different people. Interpreters should also try to anticipate court discussions. In addition, one should also recognize that beyond a certain period of simultaneous/consecutive interpretation, the interpreter can get confused. At this point shift should be made. As much as the interpreters are trying their best to help the communication within the courtroom, legal personnel in the court should also simplify their speech and be as precise as possible.

The translation issues at the ECCC highlight the vital role of the translation/interpretation works for the functioning of the court. It should be treated as a very important element in the court process. Translator/interpreter also needs trainings as much as other personnel at the court do. There are always mistakes in the interpretation/translation if we try to find them.