

# Translating the Law

## Theoretical and Methodological Issues

### *Traducir el Derecho*

### *Cuestiones teóricas y metodológicas*



Icíaar Alonso Araguás,  
Jesús Baigorri Jalón  
y Helen J. L. Campbell (eds.)

EDITORIAL COMARES



Interlingua

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Theoretical and Methodological Issues  
/ Traducir el Derecho.  
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*Granada, 2013*

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## Table of Contents / Índice

INTRODUCTION. Icíar Alonso – Jesús Baigorri – Helen J. L. Campbell . . . . .	1
ESTEREOFONÍAS DE LA TRADUCCIÓN. M.ª Carmen África Vidal Claramonte. . . . .	15
WHY TRANSLATORS ARE NOT LAWYERS. ON DIFFERENCES AND SIMILARITIES OF INTEREST AND KNOWLEDGE. Jan Engberg . . . . .	23
DIRECTIVE 2010/64/EU ON THE RIGHT TO INTERPRETATION AND TRANSLATION IN CRIMINAL PROCEEDINGS. Erik Hertog . . . . .	33
ALGUNOS OBSTÁCULOS EN EL PROCESO TRADUCTOR DE TEXTOS DE LAS NACIONES UNIDAS SOBRE DERECHOS HUMANOS REDACTADOS EN ÁRABE, O REDACTADOS EN OTRAS LENGUAS OFICIALES SI INCLUYEN CONCEPTOS ISLÁMICOS. Manuel Feria García . . . . .	47
LA INTERPRETACIÓN JUDICIAL EN EL CONTEXTO ESPAÑOL ACTUAL. NUEVOS RETOS PARA EL FUTURO. Maribel del Pozo Triviño . . . . .	57
LA INTERPRETACIÓN JUDICIAL EN ESPAÑA Y AUSTRIA. Fernando A. Gascón Nasarre . . . . .	67
INTERPRETING FOR THE SOUTH AFRICAN TRUTH AND RECONCILIATION COMMISSION. Erik Hertog . . . . .	77
LOS INTÉRPRETES DE LAS NACIONES UNIDAS EN LAS MISIONES DE DERECHOS HUMANOS. María del Mar Moya Tasis. . . . .	81
¿QUÉ ESTRATEGIAS PARA QUÉ TRADUCCIÓN JURÍDICA? POR UNA METODOLOGÍA INTEGRAL PARA LA PRÁCTICA PROFESIONAL. Fernando Prieto Ramos . . . . .	87
EDITORS AND AUTHORS . . . . .	107

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# Introduction

ICÍAR ALONSO  
JESÚS BAIGORRI  
HELEN CAMPBELL

## STOCKTAKING

Salamanca, the model, is now a concept. It is a training seminar for professional linguists but much more than this, it is a different approach to learning and exchanging experience, one which has proved its worth for five consecutive years, becoming richer and more innovative with each passing year. Where did it originate and why, what made it the success it has become? The ingredients are simple. Take three worlds: academia, professional life in an international organisation and university studies. Perhaps one could add one more, that of vocational training. Blend for a week at room temperature. Hey presto, a successful seminar! There is, of course, far more to it than that, but the basic ingredients are these. What we have done with them and how we have blended and tended them is a rather longer story.

Today in 2013 communication is more important than ever, across borders and well beyond the confines of Europe. Leisure travel and retirement schemes, as well as moving elsewhere to find employment, have already changed how we live. In addition, immigration and asylum, conflicts and wars, economic hardship, high unemployment and a sudden change of fortunes in the last five years have led to a massive demographic shift, as people migrate to another country, in search of new opportunities and a better life. In so doing they need not just the motivation to move but also the wherewithal, the skills, the ability to adapt, perhaps to master a new language and a new legal situation. Laws must be understood wherever a person goes to find work, to set up a business, to seek a job, to visit new places or to settle in a new environment. Most of all, these migrants, be they temporarily or permanently in a new country, need to be able to communicate, to speak, write and survive in a different language, a different culture and country, within a different set of laws governing their private and professional lives.

These realities have highlighted the vital importance of legal translation and interpretation and the need for every individual to be protected by the law of the land he or she chooses to live in regardless of language, religion or cultural background. More and more, courts of law and tribunals, national and international, are faced with the realities

of multilingualism, and nowhere is this more clearly demonstrated than in the European *Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings*, adopted in 2010 and this year in force in all European Union Member States. Some countries have been more rapid than others in implementing this crucial Directive but it is now law in all of them, i.e. directly applicable and a reality that national Ministries and Courts must observe. Public Service Translation and Interpretation (the generic name most often used) has for too long been viewed as the “poor relative” of conference interpreting and translation in international organisations. The existence of a National Register of Public Service interpreters and translators is now seen as an urgent need where it has not yet been introduced and as a great asset where it has, despite the refusal of some EU members to grasp the importance of proper training for such practitioners and of a qualification such as the Chartered Institute of Linguists diploma in Public Service Interpreting in the United Kingdom. Such a quality indicator is vital if the Ministries of Justice, the courts and tribunals are to recruit linguists who are reliable and will perform their tasks professionally and objectively. There is still much to be done in terms of awareness raising of clients, end-users, e.g. Ministries and the private and public sectors, to guarantee justice for all, whatever their origins or linguistic abilities. Public Service also implies translation and interpretation in other key areas such as the Police, immigration and asylum offices and just as importantly, local administration and health care. In all of these areas, crucial to the everyday lives of us all, provision of well-trained and qualified translators and interpreters where needed is not just a useful adjunct but an absolute necessity and a fundamental right.

In general, and now more than ever, students contemplating their futures must consider the options open to them and choose the right path, surely involving, to a greater or lesser extent, the mastery of another language and an understanding of the law. These can no longer be seen as special subjects, but rather as economic and practical necessities.

Universities have always been and remain centres of excellence, of history, research, study and exchange among scholars, but also of transferring skills and practical knowledge in this century. Students may wish to follow an academic career, or else to spend a part of their lives in an academic world, to learn and be enriched before embarking on the long and winding road to earning a living and making a life for themselves and their families. But they will also be looking increasingly for studies that will enable them to find rewarding and challenging work. In other words, the gap from ‘the spires of Oxford’ (or any other higher education institution) to the ‘real’ world needs a bridge to help them over to the other side. If they choose to jump, then we must help them to land safely<sup>1</sup>.

<sup>1</sup> In the epilogue of the first volume of this series we said: “We borrow here the frequently used metaphor of translation and interpreting as bridges between languages and cultures to apply it to institutions, experts and generations. Perhaps we would only add that the *bridge* metaphor can also be complemented by that of the *door*, since this type of seminars can be equated to the opening of doors, particularly, though not only, for students”. (Baigorri and Campbell, 2009: 155)

The chasm between the world of study and the world of business, of production and delivery to a deadline can be a yawning one and hard for the new graduate to master, so all good programmes created to bring the two worlds closer together and to ensure a smooth transition must be welcomed and good practice emulated and spread abroad. How else will graduates be equipped to face the challenges and realities of the world of work, the 'real world' in which they not unnaturally aspire to earn their living, to acquire professional abilities and continue to learn on the job?

This is where the Salamanca seminar comes in. This simple formula ticks all the boxes, offers students a unique opportunity to meet those on 'the other side', i.e. the professionals doing the job that they, the students, aspire to, while at the same time giving the professionals a twofold opportunity. These language professionals have a unique opportunity to learn from leaders in the field of law and language, and to hear lectures they would never have a chance to attend when working in the United Nations, the World Trade Organisation (WTO), the World Intellectual Property Organisation (WIPO) or the European Union (EU) translation services. But, and this is the special feature of the seminar, they can also share their experiences and knowledge with the new generation of translators and interpreters, so bring to bear all that they have learned and acquired in their professional lives and share this priceless experience with the students.

Thus we have the three vital components of the formula. It is important to attract senior lecturers, leading experts in their field who can offer professional linguists with solid experience behind them new insights and further knowledge in their particular field of learning. Salamanca has consistently done so. Thus, for the international organisations, most, if not all, now acutely aware of the need for life-long learning and continuous professional development (the new buzzwords in the 21<sup>st</sup> Century), this seminar provides an ideal chance to offer their staff, junior and senior alike, some worthwhile top quality training that would not be so easily available in New York, Brussels, Vienna, Luxembourg, Washington, Addis Ababa, Strasbourg, Nairobi or Geneva.

The final cherry on the cake, as far as the senior managers in international organisations are concerned, when deciding how many staff to send to a seminar, is that no fee is charged. The *quid pro quo* is the input from the International Organisations (IOs) staff members, in the form of the master classes, workshops and round tables they provide to the students.

This training comes in a completely different package from the usual one of a day or two near the office, with other colleagues from the familiar place of work. A university environment opens new doors, providing a completely different setting, one that all translators and interpreters will have experienced somewhere in the past, usually for no longer than four years and with all the pressure of final exams looming and a job to look for immediately after graduation. In this case, those same translators leave their offices and move away from their day-to-day routines, outside their comfort zones. Interpreters, accustomed as they are to frequent travel, change places and faces on a daily basis, translators much less so.

One of the unexpected advantages of all five Salamanca seminars has been the meeting of peers, talking to translators and interpreters doing the same job in other organisations, other cities and countries. Participants have discovered that their counterparts elsewhere use different working methods, have different requirements, approaches, languages, needs and even IT tools. In Salamanca they have been able to exchange working methods, to bat ideas around, learn from each other, and do so not only in the formal seminar programme but also late into the night in local cafés or in the wonderful historically evocative cloister that now houses most of the guests participating in the seminar. During each seminar over the past five years, Computer Assisted Translation, Machine Translation, pre and post editing, search engines, terminology data bases, literature, films, recipes, hopes and dreams have been exchanged every evening by these groups of people from all over the globe, seeking to perfect their art, to improve on every text produced, all avid to learn from their peers in other organisations how *they* tackle the problems, how *they* deal with tight deadlines. It is a heady mixture.

During the daytime working sessions, students join the professionals to hear top keynote speakers, including former Commissioners, judges, lawyers and senior professors from far and wide, delivering talks on subjects of common interest. Afternoons are spent with those professionals sharing with the students their hands-on translation experience, the realities that will one day confront future graduates, while the occasional break in the busy schedule allows for a visit to the world famous and rarely open library, the city archives or some of the famous historical sites that make up this unique university.

Salamanca, with its historic buildings, its dark courtyards and mysterious cloisters soaked in history, in great works of art, science, literature and the ghosts of a distant past still haunting its corridors, is the perfect backcloth to an extraordinary meeting of past, present and future. It is a time machine bringing those ghosts of the past into cheerful contact with students of the present day, dressed in jeans, sporting red tee-shirts emblazoned with the words 'Salamanca seminar'. And in the auditorium is a gathering of linguists or those interested in language, from all over the world, from *inter alia* the USA, the Baltic States, from Ghana, and Jamaica, the United Kingdom, Switzerland, Spain and Sweden.

But how did it begin, who had the vision to foresee the enormous mutual benefits of this project? Who had the conviction to convince others to implement it? This volume sums up the proceedings of the fifth and, for the time being, last seminar on legal translation hosted by the University of Salamanca for language staff from different International Organisations (IOs) from February 20 to 24, 2012. Behind the initiative are the members of the Universities Contact Group (UCG), part of the International Annual Meeting on Language Arrangements, Documentation and Publications (IAMLADP), a United Nations-led forum of Heads of Language and Conference Services of some 80 International Organisations set up 38 years ago. IAMLADP members decided to establish a Working Group on Training (WGT) in 2001 for several reasons, but mainly because of the serious and worrying shortage in all organisations of good recruits with the languages and skills needed in the 21<sup>st</sup> Century. The WGT was therefore asked to address

the problem, and in 2006 decided to set up the Universities Contact Group, a somewhat unusual body in IAMLADP, made up, as it was, of IO members (IAMLADP is a forum for employers, international organisations) but for the first time, also of Universities, i.e. those training future language professionals.

The UCG was established and co-chaired for five years by Helen Campbell of the Directorate-General for Interpretation of the European Commission and Svetlana Carsten of the University of Leeds. All agreed that the focus should be on practical initiatives, of mutual interest to constituencies, professionals and universities. Consequently half of the UCG members are IO language staff and half course leaders from universities training student translators and interpreters. It was agreed at the start that this Group would avoid being a ‘talk shop’ and devote its time and energy to ‘Deeds Not Words’, which has become its motto and guiding principle.

The first meeting of the UCG in 2007 thus concluded with an action plan, to run as a pilot project a seminar on legal translation, since it was a well-known fact that this was a high priority for staff translators in all IOs. Jesus Baigorri-Jalon, a founder UCG member, former UN interpreter and professor in Salamanca University undertook to run the pilot in 2008, thanks to the support of the Rector, Dean and academic staff of the University. The pilot was run with thirteen participants from ten IOs whose feedback was an unequivocal ‘YES’ to future seminars. It was on the basis of this success that the next four seminars were staged.

From 2008-2012 the seminar was an annual event, it became known world-wide and is now a recognised ‘model’ of cooperation with its unique format of quality lectures for IO staff, free of charge for participants—in itself a novel idea—plus the completely new approach as outlined earlier, of a *quid pro quo*. Salamanca is known to be a city of great architectural and historical interest and beauty, also a major attraction, adding value to what all participants over this five-year period have all felt to be an extraordinary and unique experience. The publication of the proceedings for further reference has been a specific feature of the seminars<sup>2</sup>.

Another mark of its success has been the decision by other universities to run UCG-sponsored seminars on other topics, following the same principles as ‘Salamanca’, such as the University of Leeds which hosted two workshops in 2010 and 2011, one devoted to machine translation, the other to English enhancement for conference interpreters in the United Nations system. These too, were unqualified success stories. The format was taken further afield when the African Union requested a ‘Salamanca’ seminar for interpreters, run by two senior interpreter trainers from the University of Leeds in March 2012.

<sup>2</sup> The four previous editions of the Seminar have also been published in this collection: BAIGORRI, J. – CAMPBELL, H.J.L. (eds.) (2009) *Reflexiones sobre la traducción jurídica/ Reflections on Legal Translation*, Granada: Comares; ALONSO, I. – BAIGORRI, J. – CAMPBELL, H.J.L. (eds.) (2010) *Translating Justice/Traducir la justicia*, Granada: Comares.; ALONSO, I. – BAIGORRI, J. – CAMPBELL, H.J.L. (eds.) (2011) *Lenguaje, Derecho y Traducción/ Language, Law and Translation*, Granada: Comares; ALONSO, I. – BAIGORRI, J. – CAMPBELL, H.J.L. (eds.) (2012) *Ensayos sobre traducción jurídica e institucional /Essays on Legal and Institutional Translation*, Granada: Comares.

In addition, a UCG member and expert in intellectual property gave a talk on Intellectual Property related to translators at the EU Representation in London in 2011, open to all interested parties, again in the spirit of the Salamanca model.

Over the years, the Salamanca seminar has benefited from the experience and expertise of speakers from inside Spain but also outside, e.g. from the United Kingdom, Finland, Latin America, Iceland, Japan, Croatia and the United States. Up to 25 staff attended each seminar, including some from the African Union, the World Bank, WIPO, WTO, International Labour Organisation (ILO) and several Courts and Tribunals such as the International Criminal Court (ICC) and the European Court of Auditors. The United Nations duty stations have all been well represented as have the European Union institutions and the consistently glowing evaluations each year have created still more interest in attending.

The working languages of the seminar were always specified as Spanish and English and were required for all IO participants so that they could participate fully in the seminar. However, after the first two seminars, increasingly attended by non-Spanish speaking lecturers, the UCG meeting agreed to invite student interpreters (through the good offices of UCG members) from the universities of Bath, Leeds and Salamanca to interpret the lectures and workshops. For the student interpreters it was sometimes a steep learning curve but an extraordinary and enriching experience. Despite the rapid deliveries of some Spanish—but also English-language—speakers during the week, the students coped well and found the experience a unique first taste of professional life.

Budget cuts have made it more difficult to run such events as Salamanca, but thanks to the generous support of the Spanish Ministry of Economy and Competition (which took over the financing functions of the previous Ministry of Science and Innovation), the European Academy of Yuste Foundation, the Alfaqueque Research Group of Salamanca University and Poliglotti4.eu, the 2012 seminar could take place. The publication of the lectures has been made possible thanks to the financial support of the Department of Translation and Interpreting of the University of Salamanca.

The editors would like to express their gratitude to all those who have contributed to this volume, to the lecturers, IO participants, academic staff and publishers. Many thanks should also be extended to the ‘red T-shirts’, the tireless team of Salamanca student volunteers who were always ready to offer participants a helping hand, a ready smile and an answer to all questions and requests.

For now, ‘Salamanca – The Seminar’ will rest, perhaps to be taken up in a year or two. It has been for the organisers, academic staff, students, and we hope, lecturers and participants a unique and fulfilling experience and one we hope will take on a life of its own, to be emulated and replicated in other places, at other times, and with other subjects. Our hope is that Deeds Not Words will prevail to the benefit of many.

## **THE 2012 SEMINAR**

International Organisations staff from ten organisations and ten student interpreters (four from Bath and six from Salamanca) participated in the Salamanca V seminar 2012.

The Seminar, coordinated by Iciar Alonso-Araguas, Jesus Baigorri-Jalon (from the University of Salamanca) and Helen Campbell, was inaugurated by the Vice Rector Mariano Esteban de Vega, the Dean Carlos Fortea, the Director and Head of Department Fernando Toda, UCG member and initiator of the seminar Jesus Baigorri-Jalon and Co-chair of the UCG Kent Johansson with the founder and former UCG Co-chair Helen Campbell.

The inaugural lecture was presented by Africa Vidal Claramonte of the University of Salamanca. Carlos Collantes-Fraile (University of Salamanca) took part in the preparatory work and was in charge of the logistics of the Seminar (livestreaming and coordination of the students team).

The IOs participants were the following: Maria-Soledad Martinez-Bergara and Abdelbari Moustahssine, translators at the United Nations Headquarters New York; Artur Bargay-Marsol and Francia Obregon, translators at the United Nations Office at Vienna; Maria del Mar Moya-Tasis, interpreter, and Jaime Sanchez-Ratia, translator, from the United Nations Office at Geneva; John Caemmerer, translator at the International Atomic Energy Agency; Zuzana Ursinyova and Stéphane Maccione, translators at the Directorate-General for Translation in the European Commission; Carmen Zamorano-Herrera, translator at the Directorate-General for Translation, European Commission Field Office in Madrid; Michelle Grech Mallia, Mojca Lavrencic, Alison Chetcuti, Egle Staskuniene, Eva Kubacka, translators in the Directorate-General for Translation in the European Parliament; Christoph Armbruster, lawyer-linguist at the Court of Justice of the European Union; Livia Konta de Palma, translator at the World Intellectual Property Organisation; and Olga Garcia-Morilla, translator at the World Trade Organisation.

The student interpreters were: English booth: Laura Brittan, Matthew Jenkins and David Jennings, from the University of Bath; and Louise Levicky, from the University of Salamanca. Spanish booth (all from the University of Salamanca): Carolina Esteban, Paloma Muñozerro, Elena Terrones, and Laura Vizcay. Escort interpreters: Ines Baños and Luis Alvarez (University of Salamanca).

This volume reflects the contents of the academic lectures and the monographic round table on public services translation and interpreting, as submitted by the authors for this publication. Former EU Commissioner MARCELINO OREJA-AGUIRRE put forward some considerations on the valuable role translators and interpreters play in international organisations. Then he provided a personal narrative on the history and developments in the European Union, where he was a frontline actor for many years. He did not submit a text for this volume. HERNANDO VALENCIA-VILLA, from Syracuse University in Madrid, gave a lecture on translation of human rights international law in a similar vein to the text that is available in *Puntoycoma*, number 110: [http://ec.europa.eu/translation/bulletins/puntoycoma/110/pyc1107\\_es.htm](http://ec.europa.eu/translation/bulletins/puntoycoma/110/pyc1107_es.htm)

MARIA DEL CARMEN-AFRICA VIDAL-CLARAMONTE starts from the premise of considering translation as a palimpsest, and aims at showing that universal equivalence is not possible in a globalised world such as ours, where conflicts generated by contemporary hybrid societies give rise to very sensitive situations and texts the translation of which poses ethical challenges. A series of examples from different fields—all of them involv-

ing emotional conflict— serve to illustrate that point. The translation or translations of those texts show that the most important thing is not translating what the text says but what the text *does not* say.

JAN ENGBERG investigates the differences between the work of translators and of lawyers concerning legal documents. Similarities exist in the fact that both types of professionals work with documents and with the creation of knowledge. Differences are mainly found in the fact that lawyers work with texts (= information) as well as with creation and development of specialised legal knowledge, whereas translators mainly work on shaping information in order to reflect relevant parts of the specialised legal knowledge at a specific point in time.

ERIK HERTOĞ's first chapter is a sequel to his contribution to the first IAMLADP conference at the University of Salamanca in 2008<sup>3</sup>. He picks up from that point, following the developments and initiatives that led to Directive 2010/64/EU. In this chapter he briefly sketches the important developments between 2008 and 2010, the year in which the Directive was adopted. The central part of his contribution presents an in-depth discussion of the relevant recitals and articles of the Directive and how they will affect the provision and practice of legal interpreting and translation in criminal proceedings in the Member States from 2013 on, the deadline for transposition into national legislation and administrative procedures. The presentation of the Directive is followed by a survey of the various instruments available to Member States in the transposition and implementation process. The final part briefly looks at new developments and initiatives by DG JLS of the EU Commission which fall within the framework of the Stockholm roadmap and involve translation and interpreting in criminal proceedings.

MANUEL FERIA-GARCIA tackles the two main challenges translators from Arabic face at the United Nations: idiosyncrasy and variation. The most idiosyncratic components of United Nations texts on human rights originally drafted in Arabic are usually linked to the traditional Islamic culture. Although they are quite diverse, those elements provide the texts with a certain conceptual, discursive and terminological unity. However, in view of their specificity, the distance they generate demands from translators the tasks of rebuilding their context and of choosing solutions that are understandable for the end-user while preserving the nature of the message. In Arabic originals on human rights those components are crucial when it comes to legal and religious issues. If a relative unity of the original elements is present in the traditional Islamic discourse, modern Arabic terminology of a scientific, technical, administrative and legal nature shows a wide degree of variation. This factor, together with the lack of terminology tools, complicates the translator's job, even though the cognitive and encyclopedic distance between the text and the non Arabic-speaker recipient is minor or non-existent. Feria provides a series

<sup>3</sup> HERTOĞ, E. 2009. «Legal interpreting and translation in the EU: Justice, Freedom and Security through Language». In BAIGORRI, J. AND HELEN J.L. CAMPBELL (Eds.) *Reflexiones sobre la traducción jurídica/ Reflections on Legal Translation*. Granada: Comares, 13-24.

of examples from United Nations reports, adding some autobiographical notes from his own professional career.

The round table on public service interpreting had three contributors, moderated by ICIAR ALONSO-ARAGUAS. MARIA-ISABEL DEL POZO-TRIVIÑO analyses in detail international, European and Spanish legislation on the right to interpretation in civil and criminal proceedings. She refers to the advantages and drawbacks found in the Spanish judicial system regarding the provision of translation and interpreting services. In addition she proposes a number of recommendations on the role of professional associations and academic institutions in the process of adapting the legal interpreters' profile to recent European regulations.

FERNANDO GASCON-NASARRE speaks from the perspective of a practising lawyer and interpreter. He emphasises the role of the legal interpreter as guarantor of the right of defense in legal proceedings. In view of the recent EU Directive (2010/64/EU), he compares the current situation of legal interpreters in Spain and Austria by giving an overview of how they appear in the regulations of both countries.

ERIK HERTOOG recalls the enormous number of linguistic and technical obstacles encountered by the Truth and Reconciliation Commission in South Africa in the years following the abolition of apartheid. He describes the launching of the challenging and complex programme of interpreter training in the native languages of many South Africans. The presence of these interpreters allowed the Commission attending public hearings to follow the statements of thousands of victims and defendants on the terrible events of the apartheid era.

MARIA DEL MAR MOYA-TASIS provided a text with her personal reflections about her experience as an interpreter in human rights missions. Although she participated in a different round table we have included her full text following the three contributions of the second round table.

FERNANDO PRIETO-RAMOS bases his chapter on a comprehensive multidisciplinary approach that combines Translatology and Law from the beginning of the translator's endeavour to locate, analyse and reformulate texts in their system-wide framework. He emphasises the importance of mastering methodological skills articulated on the notion of 'strategy' as a core element of professional competence in legal translation. He illustrates methodology with texts from the institutional field, where the importance given to interlinguistic concordance has an enormous impact on the choice of translation procedures. He highlights several problems where methodological competence is essential, for instance in the translation of certain legal concepts in certain institutional documents from the multilateral system. He finally shows how useful a methodological reflection can be, as a bridge between theory and practice, to facilitate system-wide and well-based decisions.

The following contributions by the participants featured in the programme:

MARIA SOLEDAD MARTINEZ-BERGARA gave a presentation on "The translator's invisibility—practical implications for UN translators" with examples drawn from English-Spanish translations. In her presentation she intended to convey to students the difficulties

encountered in becoming acquainted with the work of a translator in an international organisation from the point of view of someone who had recently joined the United Nations Secretariat<sup>4</sup>.

She explained that the Spanish Translation Service at the United Nations in New York consisted of approximately 50 translators from different Spanish-speaking countries. Obviously, there were different varieties of Spanish at stake and different predominant uses depending on the country of origin of the translators, so translators naturally needed a model to follow. A simple, clear style was part of that model. It was also important to consider the public the translations were directed at: delegates, government officials, NGOs and many other stakeholders in 23 Spanish-speaking countries for whom the message should be clear. It should also be noted that Member States often imposed a particular translation of certain terms in the documents they produced, many of which were in turn the result of difficult negotiations in meetings and often responded to political considerations. There were also agencies of the United Nations specialised in certain areas that demanded the use of certain terms (eg. the ILO used the term “decent work” that in Spanish had been translated as *trabajo decente* and had always to appear like this in documents).

In order to attempt to achieve this uniformity a number of mechanisms and tools were used, she explained, some of which are listed below.

1. Test Period. She pointed out that when a translator passed the entrance examination to the United Nations, he/she was incorporated into a list known as the “roster”. When a vacancy occurred, the translator would be offered a probation contract for two years, during which the Service would determine whether that person was qualified and ready to become a translator within the Organisation. In those two years, the translator would become familiar with the inner workings of the United Nations, the various types of documents translated and the tools available, as well as the terminology and language uses of the Organisation. Besides, the translator would be assigned a mentor to guide him/her at this stage. One of the most important characteristics a translator wanting to pass this test period should possess was humility, because individuality counted for little when translating for an international organisation. Contrary to the premise of the book “The Translator’s Invisibility”, it was especially important to adhere to the terms of the organisation and be as literal as possible. Furthermore, the work

<sup>4</sup> The objective of translation at the United Nations is to facilitate collective action by Member States to achieve the purposes of the Organization. Such collective action is based on and is recorded in texts produced in the six official languages: Arabic, Chinese, Spanish, French, Russian and Spanish. Naturally, the content of these texts should be identical in all languages. Therefore, the guiding principle of translation is fidelity to the original; besides, translators must express in their language all the sense of the original in a clear and simple style that reflects all the nuances as far as it is possible. A clear and accurate translation is incomplete if it lacks internal coherence or consistency with the rest of the written material of the Organization, and consistency requires the use of a uniform terminology and uniform standards. (From *The UN Translator's Handbook*)

- of “junior” translators was subject to review, and it was crucial to have an open mind in order to seize the opportunities of learning from this stage.
2. This ambitious goal was difficult to achieve, therefore the Spanish Translation Service in New York (also in other locations where the Organisation had Spanish translation services: Geneva, Nairobi, Santiago de Chile and Vienna) used many instruments or tools for standardisation, among them: a) *The Translator’s Handbook*—this explained the production process of the documents, their types and numbering and translation within the Service and included rules of style and terminology used at Headquarters; b) UNTERM—a database that provided multilingual terminology and special terms of the United Nations in all six official languages; c) *Notes*—the compilation of all terms contributed by the terminologists of the Service to UNTERM; d) *DtSearch*—the programme used in the Translation Services of the United Nations to search terms in the databases by indexes; e) CAT Tools (Trados, Wordfast, Mercury and translation memories); f) *Dudario*—notes on translation criteria reflecting primarily the uses particular to the Service and the reasons for it; and g) glossaries and models.

Only after some time, and after ensuring that the translator was able to produce documents in the style of the Organisation, free of errors and omissions, would he/she be allowed to revise his/her own work and with time become a reviser. The time between the two phases would vary, of course, depending on the translator and his/her experience, among other things. The task was difficult but fascinating. Students were encouraged to consider trying it.

ARTUR BARGAY-MARSOL, who has specialised in international private law, particularly international trade law, gave a talk related to his work at the United Nations Office in Vienna (UNOV), particularly for the United Nations Commission on International Trade Law (UNCITRAL), the core legal body of the UN system in the field of international trade law. Updating and harmonising commercial law among Member States require a very careful exercise of translation among the six official languages. He also mentioned other non legal issues that are also translated at UNOV.

MARIA DEL MAR MOYA-TASIS spoke about interpretation in the field and preparing, as an interpreter, for United Nations human rights missions. She illustrated her talk with comments on the tasks of the Special Rapporteur on the independence of judges and lawyers and how they have an impact on interpreters, as well as on other mandates in conflict situations (torture, extrajudicial disappearances, private military security companies, etc.). For reference to her full text, see chapter starting on page 81 in this volume.

ABDELBARI MOUSTAHSINE focused on technology in the field of translation, in particular on-going developments in the area of technology that may have positive and negative impacts on the translator’s profession. The aim was to shed light on the issue from a translator’s point of view, and fathom prospects to help adjust training programmes upstream.

LIVIA KONTA DE PALMA made a short presentation on the concept of copyright and related rights, looking particularly at the problem of illegal downloading of copyright works and the specific terminology (English-Spanish) in that field, a topic of great interest

for students. She gave some insights into the kind of translation translators at the World Intellectual Property Organisation (WIPO) were faced with and stressed the need for considerable background knowledge of the subject.

CARMEN ZAMORANO-HERRERA addressed several key issues in her contribution, in particular, the present situation of the European Commission translation service, the biggest translation service in the world, with its many peculiarities resulting from the supranational nature of EU institutions and the direct effect of their most important laws and regulations. She also turned her attention to future developments in the service, quoting as examples a greater and more frequent need for and reliance on external freelance translators, in particular those who were familiar with EU freelance tendering procedures.

She stressed the importance of the multilingualism industries in the next EU Multiannual Financial Framework (2014-2020) and the "Europe 2020" strategy, especially in the current economic downturn, budgetary restrictions and the need to find ways to manage the crisis. Education programmes within this 2020 strategy would need to be reinforced, highlighting the important role to be given to language learning, language and communication industries and, in particular, to language training in business. Thus the budgetary allocation earmarked for education projects in the next financial framework was a matter of crucial importance.

ZUZANA URSINYOVA and STÉPHANE MACCIONE gave a talk entitled "Traducir en tiempos revueltos". The objective was to familiarise the students/participants with the evolution of the politics of multilingualism through successive enlargements of the EU, its legal frame and the implications of its democratic spirit for both the citizens and the translation services of the EU. They focused on the specific working methods of the Directorate-General for Translation of the European Commission, its organisation and workflow, in particular from the perspective of current issues arising from budget cuts. Finally they reflected on quality concerns, involving students in a hands-on workshop about the EU Clear Writing Campaign.

OLGA GARCIA-MORILLA spoke about the employment opportunities for translators in international bodies with headquarters in Geneva. More particularly she explained the different types of contracts offered by the World Trade Organisation to translators. She based the thread of her talk on her own career as a translator since she graduated from the School of Translation and Interpreting in Salamanca. Then she showed the most significant features, for the purpose of translation, of two WTO dispute settlement documents.

The group of translators from different language sections at the Directorate-General for Translation in the European Parliament covered the various aspects related to the translation duties in that institution.

MICHELLE GRECH-MALLIA and MOJCA LAVRENCIC gave a short presentation of the European Parliament as an institution. The introductory part dealt with the early days, European elections, and the composition of the European Parliament, with special emphasis on its President, Members of Parliament and how they were organised in political groups, committees and delegations. This was followed by a short introduction to political bodies,

such as the Bureau and the Conference of Presidents and Quaestors. In conclusion, they touched upon the Treaty of Lisbon and the changes its introduction had meant for the Parliament. A DVD entitled “A day in Europe” followed the presentation.

EVA KUBACKA dealt with the legislative process in the European Parliament and with the implications it has for translators. ALISON CHETCUTI described the experience of working at the European Parliament.

EGLÉ STASKUNIENE gave a presentation on traineeships and recruitment in the European Parliament, which focused not so much on the practical details that can be easily found on the relevant websites, but rather on the personal insights about what to expect from a traineeship in a translation unit in the Parliament and the other European Union Institutions (the Council and the Commission). She also explained the new EPSO procedure, which is in a way similar, but still very different from competitions for translators in other international or national institutions.

In addition she spent considerable time discussing translation issues with students, dealing with various topics from anecdotes to personal advice, which she felt was of particular importance. For this reason, she spent much of the time at the “social events” and in the evenings talking to students, which also helped her to find out more about how the translation studies were organised in Salamanca and what experience the students could share with her. She found this aspect of the seminar particularly rewarding and fruitful.

FRANCIA OBREGON, in her talk, chose to give the students an idea of what it was like to work for the Office of the President of the 63rd session of the General Assembly of the United Nations, as reviser of the small team in charge of this assignment. She gave some introductory information on what the General Assembly did and how it was organised, illustrated by a sheet with basic terminology used in the translation of the notes for the President, which she circulated to the listeners. Finally, she gave a short account of ‘a day in the life’ of a UN translator, explaining in more detail what the day-to-day work entailed.

CHRISTOPH ARMBRUSTER, lawyer-linguist at the Court of Justice of the European Union (CJEU), presented a general overview of translation at the CJEU. First, he gave a brief presentation of the CJEU and its different types of proceedings. He then explained how the language service at the CJEU was organised and pointed out that to become a translator at the CJEU a full law degree is required. He also indicated the importance of French, by custom the language of deliberation and thus the internal working language at the CJEU, and of the language of the case, which could be any of the official languages of the EU. Using the examples of a reference for a preliminary ruling and a direct action he finally explained the different documents to be translated in each of these two types of proceedings in chronological order.

At the **initial round table** on the first day of the seminar, a panel of speakers discussed their own experiences as translators and interpreters in the services of international organisations. JESUS BAIGORRI-JALON of the University of Salamanca, KENT JOHANSSON from DG Translation, European Parliament, HELEN CAMPBELL, formerly of DG Interpretation, European Commission, CARMEN ZAMORANO, DG Translation (European Commission)

field office in Madrid, JAIME SANCHEZ-RATIA from the UN in Geneva and JOHN CAEMMERER of the IAEA looked at the challenges facing language professionals at present and how these might change in future. Mr CAEMMERER shared with the listeners some of his experiences of both professions, in particular as a diplomatic interpreter, outlining its potential pitfalls and rewards, while life at the IAEA as a translator threw up different challenges, involving précis-writing, increasingly CAT tools, technical texts and greater focus on revision with the increase of outsourcing. Ms ZAMORANO gave some examples of her professional life as an external representative of her DG and Institution, the largest translation service in the world, though with rather different perspectives in the Madrid field office, far away from the HQs of Brussels and Luxembourg. With JESUS BAIGORRI-JALON, HELEN CAMPBELL and KENT JOHANSSON, former and current Chairs of the UCG (IAMLADP), discussed the challenges of finding good recruits for both the translation and interpretation services of the EU Institutions and how they saw the situation evolving in the near future. JAIME SANCHEZ-RATIA gave the view from the United Nations, from its largest Office in Geneva and raised some questions about the future of translation in the UN and also in general, with the advent and increasing importance of new technologies.

A second round table took place on the last day of the seminar. Representatives from the different institutions were present, together with the Salamanca organisers and a representative from the students. They took stock of the different activities developed during the seminar and encouraged students to participate in international competitive exams to join international organisations. It was announced that the seminar would change from its annual pattern to a biennial one, opening the option of organising similar events in the in-between years.

## REFERENCES

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**115**

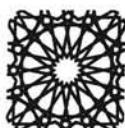
Dirigida por:  
**Emilio Ortega Arjonilla y Pedro San Ginés Aguilar**

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### **BREVE SINOPSIS**

This volume is a collection of essays on theoretical and methodological issues related to translation in general and to legal translation and interpreting in particular. The texts reflect the interventions in lectures and round tables by academic participants in the 5th Seminar on Legal Translation for International Organisations that took place at the University of Salamanca in February 2012 as submitted by the authors. EU Directive 64/2010 appeared prominently in the discussions, but other topics were also present, such as the role of silence in translation, the importance of a methodological preparatory process before tackling legal translation, the different approach of legal translation by translators and lawyers, the cultural factor of Arabic and Islamic concepts in United Nations human rights texts, court interpreting in Spain and Austria, the training of interpreters for the South African Truth and Reconciliation Commission, and the particularities of interpreting in United Nations human rights missions.

*Este volumen reúne una serie de trabajos sobre diversos aspectos teóricos y metodológicos de la traducción en general, y en particular aquellos referidos a la traducción e interpretación jurídica. Los textos reflejan los contenidos de las conferencias y mesas redondas de los participantes invitados al V Seminario de Traducción Jurídica para Organizaciones Internacionales celebrado en la Universidad de Salamanca en febrero de 2012, tal como han sido redactados por sus autores. La Directiva Europea 2010/64/UE fue uno de los temas centrales en los debates, si bien se trataron asimismo otras cuestiones de gran interés, como la función del silencio en la traducción, la pertinencia de un metodología práctica en el ejercicio de la traducción jurídica, los diferentes enfoques de traductores y juristas en torno a la traducción jurídica, el factor cultural en textos de las Naciones Unidas sobre derechos humanos que incluyen conceptos árabes o islámicos, la interpretación de tribunales en España y en Austria, la formación de intérpretes para la Comisión para la Verdad y la Reconciliación de Sudáfrica, y las peculiaridades de la interpretación en las misiones de derechos humanos de las Naciones Unidas.*



**COMARES**  
editorial

