

SPECIFIC FEATURES OF THE TRANSLATION PROCESS OF THE EUROPEAN UNION DOCUMENTS

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Nowadays, the European Union represents the scene of most sustained and intense cultural transfers. Within the European zone, every country works in one or several languages, which are either chosen or imposed by circumstance, and thus translation is an inevitable and necessary aspect of all exchanges.

Since 4 October 1993 when the association and stabilisation agreement (formerly also called the "Association Agreement") between the European Communities and their Member States, on the one hand, and the Slovak Republic, on the other, was signed, and particularly since 1 May 2004 when the Slovak Republic became a full-fledged Member State of the European Union, we can talk about the beginnings of translation process of all the relevant documents within the European Communities from and to Slovak language.

Within the framework of the integration into the European Union it was and still is necessary to translate various documents such as certain acts of Community law, directives, regulations, decisions, judgements, recommendations, opinions, common strategies, joint actions, common positions, conventions and agreements.

The number of various types of documents elaborated by the institutions of the European Union is low and in most cases their constituent elements are specified within the ECSC Treaty (with the exception of a rather political nature as compared to those stemming from everyday practice). Despite this fact, the translations of the European Union documents and especially the quality of Slovak translations within the European agenda, is not very high.

This does not result from insufficient language competence of the translators. The translators have to face some specific features of the translation process itself.

Particularly:

- EU documents usually have to be translated within a short period of time. Due to this, there are too many translators working on selected parts of the same document at the same time (e.g. translations of verbatim reports of the Conference of Presidents of the European Parliament). Because of the fact mentioned above, there is an urgent need for unification and codification of the documents especially in terms of terminology and stylistics.

- as a matter of fact, there are sometimes parts of the documents that are not easy to understand, or to interpret (e.g. in the preface of Convention – '...proposes measures to increase the democracy, **transparency and efficiency** of the European Union, by developing the contribution of national Parliaments to the legitimacy of the European design, **by simplifying the decision-making processes**, and making the functioning of the European Institutions **more transparent** and comprehensible. – Does the proposed Constitution really simplify the decision-making process, does it really make the functioning of the European Institutions transparent and comprehensible?) Alcaraz and Hughes (2002: 3) explicitly say that the first stage in successful translation is to understand the source text fully; and only then can the production of a target text follow.

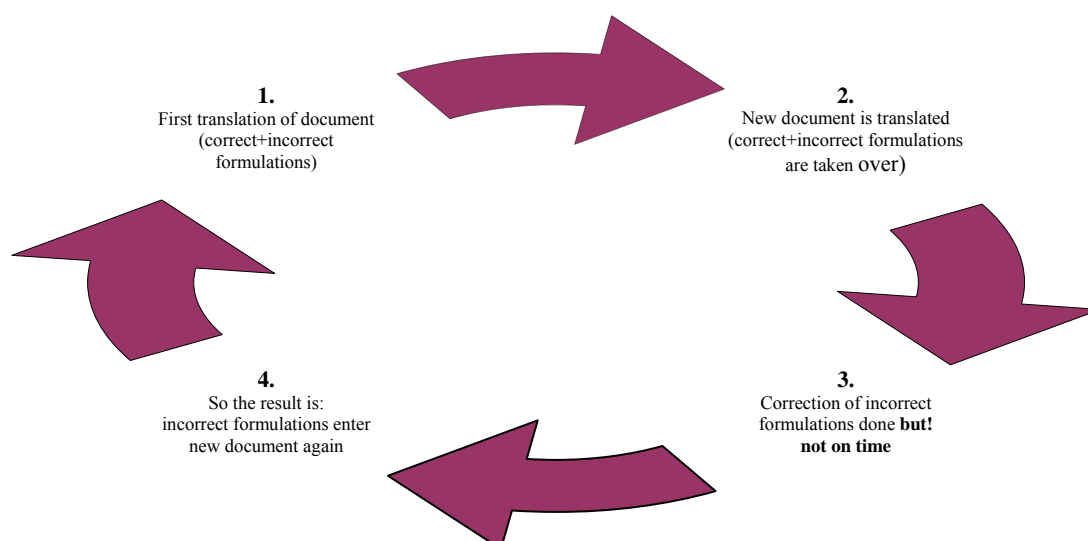
- as we can realize, the range of these documents and their heterogeneity do not allow the translator to become an expert in one subject-field only, e.g. in economy or in finances etc., which, unfortunately, often results in incorrect or wrong translations. The language of law is a quite formalized language at all levels and its vocabulary has been regarded as the main distinctive feature, particularly with respect to the use of terminology. There are also too many bodies around: the European Parliament, the Council of the European Union, the European Commission, the European Court of Justice, the Court of Auditors, etc. The language of each institution is unique in terms of terminology. And also the functioning of the European structures can be characterised by extraordinary diversity (e.g. *the proceedings of the European Parliament deals with the proposals from various subject-fields*).

- in spite of the systematic production of terminology databases in terms of technical and also non-technical lexis within the individual institutions, there is no interconnection of the databases. The absence of an integrated technical and non-technical database causes inconsistency in translated documents. Therefore simplifying and encouraging communication between the individual institutions, more specifically in the framework of terminology, is of particular importance (e.g. *"European Security and Defence Policy" is translated (into Slovak language) as PESD, ESDP and also as EBOP!*).

- going back to the absence of an integrated database, the problem arises of copying both correct and incorrect formulations/wording once translated into new translations. As a matter of fact, there are documents that function as source texts when new documents are to be translated. According to such texts many others are partially or fully translated. This happens whenever the validity of the documents is to be renewed (e.g. *in case of legal regulations or provisions*) or new documents are to be adopted which are similar to those which remain in force (*they are the so-called. "horizontal texts"*)

- although the Community does its best in terms of codification and unification of legal texts, in particular legal acts that are still in force with all their amendments, the texts are not always revised and published (by means of corrigendum) on time in the Official Journal of the European Communities. For illustration, there were 107 corrigenda from the beginning of the year 2008 till 31 October 2008. In 2009 there were 35 corrigenda for the same period of time¹. Corrigenda deal with correction of errors in all printed EU documents. The correction itself takes into consideration those errors that may have untoward consequences only. The corrections of obvious clerical errors or misprints or linguistic errors or corrections of parts of the texts that are not understandable are not the subject of corrigendum.

The following diagram shows what the current situation is due to the facts mentioned above:



- on the other hand, in the list of keywords used within the European structures we find the French term '*acquis*' which is used in most versions of the documents. This is because no satisfactory translation seems to have been agreed upon, considering what the lexeme implies. We can call it a neologism, a loan word, a term of European legalese, but for sure it is a symbol of intercultural, interlinguistic mediation, which needs extensive definitions and explanations, as the ones we find on the web:

The Community *acquis* or Community patrimony is the body of common rights and obligations which bind all the Member States together within the European Union. It is constantly evolving and comprises: The content, principles and political objectives of the treaties; Community legislation and the case law of the Court of Justice; the declarations and resolutions adopted by the Union; measures relating to the common foreign and security policy; measures relating to justice and home affairs; international agreements concluded by the community and those concluded by the Member States between themselves in the field of the Union's activities. When further countries join the European Union, **full compliance with the Community *acquis* is one of the requisites for accession.** (Sacerdoti Mariani 2008: 165)

- institutional EU documents have recently come to be perceived as a certain form of autotranslation or self-translation as EU institutions are typically the author of both the source text and its translation(s) (Koskinen 2008: 24). Due to that fact, while translating EU documents, a translator may come across synonymy, (near)synonymy and several variations for one term². Therefore, it is necessary to find a corresponding *ad hoc* solution for each term.

- EU texts, especially EU legislative documents are said to form a new, supranational legal and language culture. As a result of EU texts blending features of various national cultures and languages in contact, they have come to be labelled as hybrid texts, i.e. texts that result from a translation process and exhibit features that seem out of place, strange or unusual to the receiving culture (Schäffner and Adab 1997: 325) or said in Trosborg's words: 'hybrid texts' produced in a supranational multicultural discourse community where there is no linguistically neutral ground (Trosborg 1997: 145-146). The European Union has made "painstaking efforts to create a more natural lexicon for the ever-growing multilingual jurisdiction" (Šarčević 1997: 260-261). This has entailed, on the one hand, the careful avoidance of existing national legal terms, and, on the other hand, the creation of "terms which are reasonably transparent and can be easily translated" with priority given to literal equivalents (Šarčević 1997: 261) as opposed to natural equivalents, i. e. terms that already exist in the target language system(s).

- in order to produce a good translation serving the intended purpose, translators can use the following efficient feedback tools in checking whether or not a phrase he or she intends to use exists in the target language: Eurlex (EUR-Lex provides legal texts of the union), CELEX (EC data bank for Community law), IATE (Inter-Active Terminology for Europe).

Especially, IATE, as the inter-institutional terminology database for the European Union, is of particular importance. The aim of this project was to create a web-based interface for all EU terminology resources so as to make the information more easily available and thus ensure its standardisation throughout the EU institutions. However, besides the actual terms, the domain information, the name of the institution or agency that created the entry and the IATE entry ID, the hit list also contains a 'reliability code' is expressed as a symbol on a scale * (reliability not verified) to **** (very reliable). On the other hand, IATE focuses primarily on the following subject-fields only: internal market, four freedoms and justice.

The Slovak language is one of the 23 official languages of the enlarged EU, in which all EU documents (such as regulations, provisions, directives, treaties, recommendations, green papers, EC positions, progress reports, decisions, standard forms for notification of aid, the records and correspondence with the Member States, various brochures, questionnaires, web

pages, EC/EU acts etc.) are adopted and consequently published in the Official Journal of the European Union. With respect to the facts mentioned above, it is not possible to avoid divergences and mistakes in Slovak versions of the documents. Despite the fact that information sources mentioned above are not perfect, they are still the only ones available and mandatory if translating the EU documents. However, it must be said that translators from the individual European institutions work on terminology consolidation.

As we can see, translators may not be experts in the subject-field (which often results in incorrect or wrong translations); or materials available are inadequate in order to decide on the priorities of the translation strategy in culture-specific contexts, or no easy access to subject-field specialists is available in the process of translation.

Therefore, the possibility of putting the content of technical and non-technical databases into practice in all areas (not only within the European structures) should be considered as a priority. It would be beneficial to all translators to fill in the gap between the language variety used at the European level and the one used locally especially in the area of terminology since legal texts are increasingly accepted in the daily life of all EU citizens.

Notes

¹ Data provided refer to corrigenda in Slovak language only!

2009: <http://eur-lex.europa.eu/Result.do?idReq=16&page=4>

2008: <http://eur-lex.europa.eu/Result.do?idReq=19&page=1>

² Although a term is 'a meaningful unit comprising one word (simple term) or several words (complex term) that represents a single specific concept within a concept field' (de Bessé 1997: 64).

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