

# *The Polish Eurolect Project: Tracking factors underlying the quality of legal translation*



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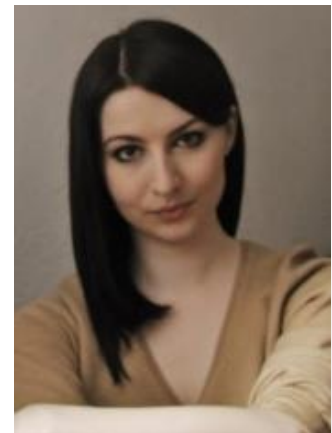
# The Team

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# The Polish Eurolect

- The Polish Eurolect is a new linguistic phenomenon, i.e. a hybrid variant of the Polish language used in the EU context as one of the official EU languages and emerging via translation.
- A translator-mediated variant of Polish

# Multilingualism and eurolect(s)

- **Multilingualism - authoritative translation:** all 24 language versions have an identical status ("the principle of equal authenticity", Šarčević 1997)
- **Institutionalisation of translation**
- **Preparation** of the source text for multilingual translation (internationalisation): simplified syntax, supranational network of concepts, deculturalisation, **EU English**
- **Multistage and multilingual drafting process;** unstable and non-final source text; frequent code switching, **translation is present at all stages of the legislative process**
  - "The key concept here is that of 'co-drafting'; the idea that **all the language versions become consciously 'fused' together** into a single multi-stranded message." (Robertson 2010b: 146–147)
- **Hybridity of EU law and language**
- Perception of EU languages as "**other**": Eurolect, Eurospeak, Eurojargon, eurolanguage, Euro-rhetoric, Euro-legalese, Union legalese, EUese, Eurofog

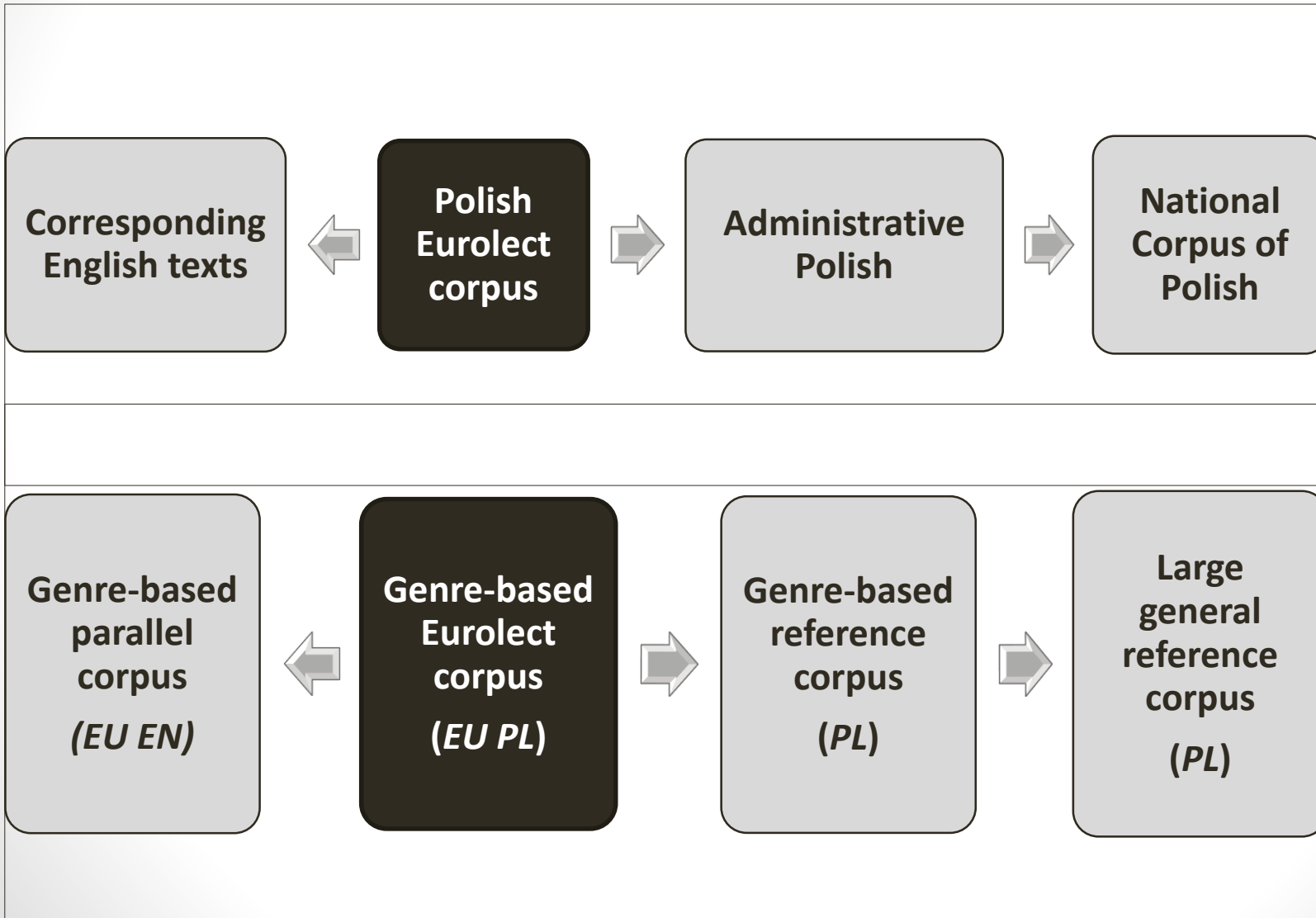
# Objectives of the Eurolect project

1. to extensively investigate the Eurolect to understand the processes and factors behind its formation
2. to track the impact of the Eurolect on post-accession Polish

# Research questions - variation

1. **External variation (textual fit/transgenre)**: How does the eurolect differ from naturally occurring administrative Polish?
2. **Internal variation: cross-generic**: How does the eurolect differ internally across four genres (legislation, judgments, reports, official websites for citizens)?
3. **Variables**: How is the Eurolect affected by the genre, the source language, institutionalisation of the translation process, the translator profile and translation universals?
4. **Diachronic variation → Europeanisation of administrative Polish**: How has post-accession Polish been affected by the huge inflow of EU translations (comparison of pre-accession Polish (1999/2000) and post-accession Polish (2015))?

# Corpus design: sampling frame 2011-2015





# Measures of quality in translation

Two fundamental relations of translations:

- the relation of **equivalence** (relation to the source text) – accuracy, precision
- the relation of **textual fit** (relation to nontranslated target-language texts of a comparable genre) → *communicative* dimension of translations, naturalness of translation, *patterning* of translations (Chesterman 2004; Baker 1993, 1995, 1996)

# Institutionalisation

# Translation of *acquis* before Poland's accession to the EU

- The need to translate Community *acquis* before the accession of Poland to the EU —the process coordinated by the Office of the Committee for European Integration (**UKIE**)
- Non-institutionalised translation
- Time pressures; a chaotic process characterised by insufficient coordination
- Irregularities in the public procurement process (price as a basic criterion), non-professional translators; non-existent revision of translations
- Translations of low quality

# Translation of acquis before Poland's accession to the EU

- Low quality of translations (titles of newspaper articles in the Polish press):
  - *Tłumacz i płacz*
  - *Błąd na błędzie w tłumaczeniach unijnych*
  - *Lawina bełkotliwych przekładów*
  - *Lingwistyczna wieża Babel*
  - *Jak marna instrukcja obsługi*
  - *Poprawić tłumaczy*
  - *Tłumacze napisali konstytucję po swojemu*

# Translation of *acquis* before Poland's accession to the EU

- *5 lat* instead of *5 miesięcy*
- *15 %* instead of *1.5 %*
- *papryka* instead of *pieprz* in a customs tariff
- Numerous corrections
- Fatal translation error:  
„Discrepancy(ies) between authentic texts, which lead(s) to differing regulation of specific rights and obligations of private and public subjects in Member States and was unintended by the legislator.” (Kapko 2005)
- The stage at which Eurolect began to take shape; lack of resources for translators; the necessity of getting used to a “hybrid” variety

# Transitional period: since 2004

- Gradual take-over of the translation process by the Directorate-General for Translation following the accession → **institutionalisation of the translation process**
- Recruitment of translators into the DGT
- Full-time translators
- Unofficial cut-off date — 2008
- Creation of resources suited to translators' needs

# Minimum requirements to be met by aspiring translators

- Graduation from any first-cycle studies (at least 3 years of higher education); **no requirement to have a legal background** as in the case of lawyer-linguists
- No requirement of having any previous professional experience
- Language skills:
  - mother tongue
  - thorough command of one of the procedural languages (English, French or German)
  - thorough command of an additional official EU language
  - EU citizenship
- Successful completion of the EPSO recruitment procedure
  - Numerical tests along with abstract and verbal reasoning tests
  - Test in translation (text of a general nature, "idiomatic")
  - Presentation and an interview
- Profile of an ideal candidate: possesses knowledge of economics, finance, law, technology or science.

# Minimum requirements to be met by aspiring lawyer-linguists (CJEU)

- Lawyer-linguists have a vital role in lawmaking, ensuring that all new legislation has the same meaning in every European language.
- Law degree
- Language skills:
  - perfect command of one European language (C2) (mother tongue);
  - thorough knowledge of two other official EU languages (C1) (FR/EN/DE + another official EU language; either second or third language must be English.)
  - EU citizenship;
- Tasks: drafting / translating, revising legal texts
- Lawyer-linguists must be able to discern precisely what EU legislation is intended to convey and faithfully reflect that intention in their own native language.
- Lawyer linguists generally work for the Court of Justice of the EU, the Council or the European Parliament.



# Translating EU law following the accession – a „mature” period

- Rise in the quality of translations
- Stabilization of terminological equivalents
- Translation services in the European Commission, Council and the Parliament
- Directorate-General for Translation (DGT) employs 1474 full-time translators (as of 2012)
- DGT translates: **legal acts**, policies, reports for other EU institutions, correspondence, websites, urgent and confidential documents.
- In 2015, DGT translated 1.9 mln pages — 73 % of which were outsourced.
- **27 %** of all translations are done by external translators; translations are verified in-house.
- Criterion for selecting translators (price/quality)

# Institutionalisation of the translation process

- Institutions create their own **translation cultures** (Mason 2003/2004, Koskinen 2008) and define their **translation policies**.
- **Institutions** operate based on three pillars: **regulative systems, normative systems, and cognitive-cultural systems** – they regulate and control the behaviours, monitor compliance and create common cognitive background (Scott as qtd. in Koskinen 2008: 18).
- The translator becomes part of “a situated institutional practice that has become routinized and habituated over time” (Kang 2011: 144).
- To rationalise the translation process EU texts are subject to extensive standardisation and formulaicity (Trosborg 1997: 151) and are characterized by high **formulaicity** and **hybridization**.
- Source-oriented translation is preferable.

# Institutionalisation of the translation process

- Institutional resources at the disposal of translators:
  - IATE terminological database (CJEU – CuriaTerm – database for legal terms and concepts)
  - In-house DGT dictionary
  - EUR-lex
  - Templates
  - VADEMECUM TŁUMACZA — Wskazówki redakcyjne dla tłumaczy (style guide; metagenre)
  - Interinstitutional style guide
  - Translation memories (TM) and CAT software: Translator’s Workbench, Trados Studio, Cat4Trad, Euramis
  - MT@EC (Machine Translation at European Commission)
  - Interface for browsing the available resources
  - T-Flow (EP – web interface for translation workflow)

counterfeiting





Search

en > pl (domain: Any domain, type of search: All)

Result 1- 10 of 21 for **counterfeiting**



FINANCE, Offence [Council]

[Full entry](#)

<b>EN</b>	<a href="#">counterfeiting</a>	★★★★ ↗@	
	forgery of money	★★★★ ↗@	
<b>PL</b>	falszowanie pieniędzy	★★★★ ↗@	
	podrabianie albo przerabianie pieniędzy	★★★★ ↗@	




Intellectual property, Offence [COM]

[Full entry](#)

<b>EN</b>	<a href="#">counterfeiting</a>	★★★★ ↗@	
<b>PL</b>	podrabianie	★★★★ ↗@	
	podrabianie produktów	★★★★ ↗@	



Deepening of the European Union, Criminal law [COM]

[Full entry](#)

<b>EN</b>	Pericles 2020	★★★★ ↗@	
	exchange, assistance and training programme for the protection of the euro against <a href="#">counterfeiting</a>	★★★★ ↗@	
<b>PL</b>	program „Perykles 2020”	★★★★ ↗@	
	program wymiany, pomocy i szkoleń dla ochrony euro przed fałszowaniem	★★★★ ↗@	

Offence, Migration [Council]

[Full entry](#)

<b>EN</b>	counterfeit	★★★★ ↗@	
	counterfeit document	★★★★ ↗@	
<b>PL</b>	dokument podrobiony	★★★★ ↗@	

LAW [COM]

[Full entry](#)


<b>EN</b>	pirate	★★★★ ↗@	
	imitate	★★★★ ↗@	
	counterfeit	★★★★ ↗@	
<b>PL</b>	podrabiać	★★★★ ↗@	

<i>Reliability</i>	3 (Reliable)
<i>Term Ref.</i>	Council Regulation (EC) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting, <a href="#">2001R1338:EN:NOT</a> >2001R1338
<i>Context</i>	'Europol is the European Union's Central Office for combating euro counterfeiting. We cooperate closely with EU Member States, the European Central Bank, Interpol and other partners to prevent and combat the <b>forgery of money</b> and disrupt the organised crime groups behind it.'
<i>Context Ref.</i>	Europol > Mandate, <a href="#">www.europol.europa.e...</a> [6.8.2015]
<i>Date</i>	06/08/2015

pl

<b>Term</b>	<b>falszowanie pieniądza</b>
<i>Reliability</i>	3 (Reliable)
<i>Term Ref.</i>	ustalenie z prawnikami lingwistami ze Służby Prawnej Rady (28.10.2009)
<i>Term Note</i>	Uwaga prawników lingwistów z Rady UE: użycie słowa "falszowanie" – jako zrozumiałego i powszechnie stosowanego – jest jak najbardziej dopuszczalne. Polski kodeks karny nie posługuje się co prawda takim określeniem, ale ze względu na mnogość systemów prawnych w UE asymilowanie określeń unijnych do terminów z prawa polskiego nie jest wskazane – dotyczy to zwłaszcza terminów z kodeksu karnego, których użycie w tłumaczeniach unijnego prawodawstwa jest bardzo ryzykowne.
<i>Date</i>	17/07/2015
<b>Term</b>	<b>podrabianie albo przerabianie pieniądza</b>
<i>Reliability</i>	3 (Reliable)
<i>Term Ref.</i>	ustalenie z prawnikami lingwistami ze Służby Prawnej Rady (28.10.2009)
<i>Term Note</i>	<p>UWAGA! W tego typu tłumaczeniu oddającym ang. "counterfeiting" dwoma polskimi ekwiwalentami zastosowano model dynamiczny, zbliżający tłumaczenie do realiów polskiego systemu prawnego. Taki bowiem zapis występuje w kodeksie karnym: art. 310 § 1 "Kto podrabia albo przerabia polski albo obcy pieniądź, inny środek płatniczy albo dokument uprawniający do otrzymania sumy pieniężnej albo zawierający obowiązek wypłaty kapitału, odsetek, udziału w zyskach albo stwierdzenie uczestnictwa w spółce lub z pieniędzy, innego środka płatniczego albo z takiego dokumentu usuwa oznakę umorzenia, podlega karze pozbawienia wolności na czas nie krótszy od lat 5 albo karze 25 lat pozbawienia wolności".</p> <p>Uwaga prawników lingwistów z Rady UE: Ze względu na mnogość systemów prawnych w UE asymilowanie określeń unijnych do terminów z prawa polskiego nie jest wskazane – dotyczy to zwłaszcza terminów z kodeksu karnego, których użycie w tłumaczeniach unijnego prawodawstwa jest bardzo ryzykowne. W tym konkretnym przypadku oddanie słowa "counterfeiting" przy pomocy dwóch ekwiwalentów ("podrabiać albo przerabiać") jest dopuszczalne ze względu na jasno określony zakres semantyczny odnośnych pojęć, ale użycia słowa "falszowanie" – jako zrozumiałego i powszechnie stosowanego – jest jak najbardziej dopuszczalne.</p>
<i>Date</i>	17/07/2015

résultat

 mariage fictif [FR]

1) Droit de la famille


**Visualisation bilingue** | Visualisation multilingue | Uniquement les termes |

fr - français

pl - polski

01 DROIT  
Droit civil  
Droit de la famille

01 PRAWO  
prawo cywilne  
prawo rodzinne

 Plus ou moins d'infos sur le concept

Références croisées:

Concept(s) générique(s): 3146

Concept(s) spécifique(s): 42678

Concept(s) associé(s): 42829

Note générale sur le concept: Arborescence «Droit matrimonial» Intranet


Collection: Vocabulaire juridique multilingue

Langue de départ: ES - español

Admin. info

**célébration du mariage** [validé]

Réf: code civil [legifrance.gouv.fr](http://legifrance.gouv.fr) (23.07.2009) art. 63 | Résolution du Conseil du 4 décembre 1997 sur les mesures à adopter en matière de lutte contre les mariages de complaisance 31997Y1216 (01)

 Plus ou moins d'infos

Note: Origine de la référence: Législation FR ; UE

Note générale:

Le mariage doit être public (art. 165 code civil). Les portes du local dans lequel il est procédé à la célébration doivent être tenues ouvertes afin que toute personne puisse y assister. Mais cette exigence n'est pas très efficace dans les grandes villes et en pratique, elle est parfois méconnue à l'occasion du mariage de personnes célèbres. Afin d'éviter les fraudes quant à l'identité des futurs époux, la célébration exige la présence d'au moins 2 témoins (au plus 4). En France, sauf mariage diplomatique ou consulaire de deux étrangers, seul est compétent pour procéder à la célébration l'officier de l'état civil de la commune, sous peine de nullité absolue. La présence des futurs époux est obligatoire, sous peine de nullité absolue, sauf mariage sans comparution personnelle.

Admin. info

**zawarcie małżeństwa** [validé]

Réf: Ustawa z dnia 25 lutego 1984 r. Kodeks rodzinny i opiekuńczy, Dz.U.1984.9.59 ze zm. Tytuł I. Małżeństwo, Dział I Zawarcie małżeństwa

 Plus ou moins d'infos

Contexte: Małżeństwo zostaje zawarte, gdy mężczyzna i kobieta jednocześnie obecni złożą przed kierownikiem urzędu stanu cywilnego oświadczenia, że wstępują ze sobą w związek małżeński. Małżeństwo zostaje również zawarte, gdy mężczyzna i kobieta zawierający związek małżeński podlegający prawu wewnętrznemu kościoła albo innego związku wyznaniowego w obecności duchownego oświadczą wolę jednoczesnego zawarcia małżeństwa podlegającego prawu polskiemu i kierownik urzędu stanu cywilnego następnie sporządzi akt małżeństwa. Gdy zostaną spełnione powyższe przesłanki, małżeństwo uważa się za zawarte w chwili złożenia oświadczenia woli w obecności duchownego.

Réf: Ustawa z dnia 25 lutego 1984 r. Kodeks rodzinny i opiekuńczy, Dz.U.1984.9.59 ze zm., art. 1

Note: Origine de la référence: Législation PL

Admin. info

# Institutionalisation

- Growing number of high-quality resources
- Control over the language and format of source and target texts
- Higher internal and external coherence of texts; consistency in terminology
- Administrative assistance – translators' assistants
- Terminology coordination – terminologists
- Assignment of translators to specialized thematic groups (e.g. as in the case of work organisation in EP's Polish Unit of DGTrad)
- One of the quality criteria → compliance with guidelines, style guides, databases

# Research into institutionalisation: is quality traceable through corpora?

- Comparison of pre-accession and post-accession translations
  - Pre-accession period (1999-2003) – 5 years
  - Post-accession period (2011-2015) – 5 years
- Document types: regulations, directives to be split into non-normative and normative parts
- Preliminary findings: growing textual fit of translations and lower signals of translationese, convergence of EU and national legal variants:
  - Decrease of *że* subordinate clauses, decrease of passive voice markers (*zostać*), decrease of certain deictic expressions (*niniejszy, tego, takie*)
  - Increase of structures typical of generic conventions of national law: navigation (*o którym mowa w..*), if-then patterns (*jeżeli*), modals (*może, należy* versus decreasing *musi*)



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