

Translation at the United Nations as Specialized Translation

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ABSTRACT

Multilingualism is one of the foundations of the United Nations (UN) and translation of UN documents plays an important political and practical role in the functioning of the Organization. This paper argues that UN translation is a specialized area of translational activity and has its own characteristics and special demands necessitated and dictated by the nature of the work of the UN and international diplomacy and developed over the sixty years' history. Thus, UN's experience in translation can provide an important insight and lesson for translators, translation organizations and translation educational institutions. This article focuses on the nature of translation at the UN as a specialized translation activity and describes and discusses some of the linguistic and institutional features of UN translation.

KEYWORDS

United Nations document translation; institutional language; multilingual instruments

Introduction

Multilingualism is one of the foundations of the United Nations (UN). Accordingly, translation of documents into its official languages, that is, Arabic, Chinese, English, French, Russian and Spanish, plays an important political and practical role in the functioning of the Organization. Furthermore, translation at the UN is a specialized area of translational activity. It has its own characteristics and special demands necessitated and dictated by the nature of the work of the UN and international diplomacy and developed over the sixty years' history. For many years, the UN has also been one of the world major employers of professional translators and interpreters in its six official languages. The UN's experience in translation, both positive and negative, provides an important insight and lesson for translators, translation organizations and translation educational institutions. Despite the long history of translation and multilingual practice at the UN, very little has been studied and written as to the nature and difficulties of translating documents at the UN in translation studies. This article focuses on the nature of translation at the UN as a specialized translation activity, to the exclusion of interpretation. It describes and discusses both the linguistic and extra-linguistic, that is institutional, features of UN translation with an example of a UN resolution and its translations for illustration. It is noted that this paper cannot be exhaustive in discussing the various types of documents being translated at the UN. While differences, mostly related to the size of work units and the special subjects they deal with, exist among the UN duty stations, such as New York, Geneva and Vienna, the discussion of the general workflow and problems in translator's work in this paper reflects a general pattern prevalent in practically all UN duty stations, since the

language services in all of them are within the same overall management structure - UN Secretariat and its Department for General Assembly and Conference Management - and follow the same or similar work guidelines.

UN Document Translation: a Special and Specialized Translation Activity

Translation at the UN has its own characteristics in many aspects. UN translation procedure, from determining what documents to translate to the actual translation and final publication, forms a system of its own. The different UN document types and their writing and production have their own peculiarities and specific technical and stylistic requirements. They are determined by the nature of the UN and its work. All these factors have had a major influence over UN translation, including the professional requirements of the translator, translation methods, process and quality (see Cao and Zhao 2006). Translation, generally speaking, is a norm-governed behaviour and activity (see Toury 1995). Translation at the UN over the years has established a set of translation norms and forms a unique translation system. At the same time, UN translation also shares many things in common with other types of translations and can offer valuable lessons to non-UN translators. We will next look at both the organizational issues and linguistic issues associated with UN translation.

UN Translation as Institutional Operation

The UN uses and operates in six official languages in its intergovernmental meetings and documents. The UN Secretariat uses two working languages, English and French. Statements made in an official language at a formal meeting are interpreted simultaneously into the other official languages of the body concerned by UN interpreters. If a delegation wishes to speak in a language that is not an official language, it must supply an interpreter to interpret the statement or translate it into one of the official languages. It is then rendered into the other languages by a relay system. Documents are produced in the six official languages and are issued simultaneously when all the language versions are available.

Within the UN, the Department for General Assembly and Conference Management (<http://www.un.org/Depts/DGACM/>) under the UN Secretariat is the department responsible for matters related to documentation including translation and general language management. It provides meeting support, technical secretariats, interpretation, documents or verbatim and summary records to the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council. The Department is responsible for the issuance of over 200 documents a day in the six official languages of the UN.

It is fair to say that documentation is the life-blood of virtually all gatherings at the UN. It sets the agenda and the programme of work for meetings, the questions to be considered and the order and manner of their consideration. In a series of reports prepared before the opening of a meeting (pre-session documentation), it provides the basis for deliberations. In-session documents (draft resolutions and decisions) reflect the results of discussions as delegates reach agreements. Following meetings, a report is prepared that gives a summation of the discussion and of all actions taken, including any recommendations made or resolutions adopted. UN documents may be drafted, edited, translated, printed and distributed in all six official languages, and sometimes processed overnight. Without its documentation, the work of a UN intergovernmental body may grind to a halt. The provision of documentation involves the following processes (see <http://www.un.org/Depts/DGACM/>):

(1) *Documentation programming and monitoring*: This first step in document processing involves reviewing the mandates from intergovernmental bodies for the preparation of reports, allocating the responsibilities for document preparation among author departments, determining admissibility of documents and monitoring submission to ensure timely availability of documents for all meetings.

(2) *Documents control*: This function covers the scheduling and monitoring of the processing of documents in all official languages simultaneously, in accordance with the requirements of the meetings and ensuring full compliance with rules governing control and limitation of documentation.

(3) *Editorial control*: Editors ensure that texts are clear, comprehensible, grammatically and orthographically correct, that all footnotes and other references are correct and that texts conform to UN style.

(4) *Reference and Terminology*: Documents often contain text based on material previously translated or references to resolutions or other published materials. The proper referencing of the texts helps ensure correct translation and speeds up processing. Increasing specialization and in-depth consideration of technical questions means that new vocabulary is constantly being formed, and terminology lists in all languages must be kept up to date.

(5) *Translation*: A document drafted in one of the six official languages of the UN is usually translated into the other five. Some core documents are also translated into German. When a document is required urgently for ongoing deliberations of the General Assembly, the Security Council, the Economic and Social Council, for example, or for one of their subsidiary bodies, a provisional translation is made quickly by translators working in an area in close proximity to the conference room. These translations are

subsequently reviewed before they are issued in final form. Due to the nature of the organization, UN translators are often required to work to tight deadlines and at the same time to produce translations of the highest standards of quality and accuracy.

(6) *Text processing and typographic style:* After being edited and translated, documents are sent for text processing. The presentation of documents in all the official languages of the Organization conforms to typographic standards developed to ensure legibility, clear presentation of data and easy document navigation and search. Final formatted versions in camera-ready and electronic form are sent to the Reproduction Section for printing and to the optical disk system for archiving.

(7) *Official Records:* Editors ensure that all six language versions of resolutions and decisions and other official records comply with UN editorial standards and, operating in multilingual teams, play a crucial role in maximizing consistency across languages.

(8) *Copy preparation and proof-reading:* the Copy Preparation and Proof-reading Section desktop-publishes or prepares for external typesetting and proof-reads a variety of materials in the six official languages.

(9) *Publishing:* The Publishing Section produces all parliamentary documentation required for meetings at Headquarters and for entitled recipients of documents. It also distributes documents and other printed materials to all recipients inside and outside the Organization and maintains an electronic document collection.

More specific to translation, within the Department, there is the Documentation Division directly responsible for translation and a number of support services. It comprises the Translation Services for the six official languages, the German Translation Section,¹ the Editorial, Terminology and Reference Service which provides translators with the background information they need to do their work, the Text Processing Unit, and the Contractual Translation Unit. The core functions of the Division include the translation of all official UN documents, meeting records, publications and correspondence at Headquarters from and into the six official languages. The Division is also responsible for the preparation of the summary records of bodies entitled to such records. It arranges for contractual translation and text-processing where appropriate and cost-effective. The Division edits official UN documents, meeting records and publications. It ensures linguistic concordance among the six official languages of resolutions, decisions and other legal instruments negotiated under the aegis of the UN and prepares them for reproduction as official records. It also issues editorial directives for the UN Secretariat. The Division also provides reference and terminology services for authors, drafters, editors, interpreters, translators and verbatim reporters. It develops terminology databases that are available to users within the UN

system and to the general public (for translation technology used at the UN, see McCallum, 2004, Cao and Zhao 2006, and Cao 2007b).

Geneva Office: A Further Illustration

The Languages Service under the United Nations Office at Geneva (UNOG) provides translations for some 50 bodies within the UN Organization and other parts of the UN system. The topics of UN documents are wide ranging, including disarmament, environmental protection, human rights, codification of international law, macro-and micro-economics, trade promotion and transport. According to its own published information (see <http://www.unog.ch/>), the Language Service's principal clients include: the UN Economic Commission for Europe, which deals with economic development, principally in Eastern Europe, and the harmonization of regulations on motor vehicle safety, transport infrastructure and the carriage of dangerous goods; the United Nations Conference on Trade and Development, whose activities cover all aspects of the economies of developing countries (globalization, trade law, enterprise development, training for international trade, etc); the Conference on Disarmament, the International Law Commission, which studies international legal practice and elaborates draft rules for the conduct of international relations; and the Office of the United Nations High Commissioner for Human Rights, which services the Commission on Human Rights and a range of committees for ensuring compliance with international standards on children's rights, economic, social and cultural rights, the protection of migrant workers, the prevention of torture among others. Translators in all the language sections process reports from governments, individuals and UN bodies; translators into English or French may also be called on to draft summary records of UN meetings (see <http://www.unog.ch/>).

Translators' Requirements and Examinations

As for the professional requirements of UN translators (see Cao and Zhao 2006, and also see UN conference service vacancy announcements at http://myun.un.org/Galaxy/Release3/vacancy/Display_Vac_List.aspx?lang=1200&OCCG=18), all UN translators, including both permanent and freelance, must have a university degree or a translation diploma from a recognized translation school. Applicants for permanent posts must be capable of working into one of the official languages (their mother tongue or their principal language of education) from two or more of the others. The only exceptions to this rule are Arabic and Chinese translators, who sometimes work both ways between Arabic or Chinese and English, and people with specialized knowledge of use to the Organization, such as holders of degrees in international law, who are sometimes recruited to work from one language only. Except for those capable of working from Arabic or Chinese, applicants for freelance positions should preferably also have two passive languages. Since most UN documents nowadays are

written in English, knowledge of that language is a prime requirement for translators into any of the other languages.

As we can see from the above description, most of the functions and work of the Department for General Assembly and Conference Management involve translation and language management due to the multilingual nature of the UN. This also determines constraints and affects the actual translation work at the UN.

To work as translator in the UN, one must first pass the UN translator's examinations. The purpose of the examinations is to establish rosters from which present and future vacancies for translators at the United Nations Headquarters in New York and at other duty stations will be filled. For example, the written examination for Chinese translators, as indicated in the related 2006 UN Notice, will consist of four papers:

(a) Translation of a general text from English or French into Chinese (one hour and a half in duration). It should be noted that this examination paper is eliminatory. Only those who are successful in this paper will have their other papers marked.

(b) Translation into Chinese of one, English or French, to be chosen by the candidate from a total of three specialized texts (economic, legal or scientific/technical) (one hour);

(c) Translation of a general text from Chinese into English or French (one hour and a half);

(d) Translation into Chinese of a general text in English, French, Spanish, Russian or Arabic (one hour).

Candidates who have selected French for examination paper (a) are required to select the English text for translation. This is a mandatory test for these candidates. For all other candidates, this is an optional paper and the language abilities demonstrated will be considered in the overall evaluation of the candidates. Information about examinations is regularly posted at the UN webpage: <http://www.un.org/Depts/OHRM/examin/exam.htm>.

UN Documents and Writing Style

The work of the UN requires the production and publication of substantial body of documentation. All documents at the UN are produced in accordance with an institutional system of standards and criteria. As we have seen in the foregoing section, documents are produced with the collaboration from many different organisational units and sections and personnel, the sets of procedures and rules need to be followed in documentation production including translation for orderly work flow and

effective document management. UN documents must be produced with legislative authorization and mandate which are usually contained in resolutions adopted by UN organs. They must be approved for publication by the administration. Furthermore, UN documents must comply with the UN quality and accuracy standards. They must have clear substantive purposes and public use objectives. UN documentation is formally classified within a series system and there are also specific standards and requirements for the format of different types of documents.

Firstly, the term 'documentation' as used at the UN signifies a body or accumulation of written materials issued for or under the authority of an organ of the UN, irrespective of the form in which it is issued or of the process by which it is reproduced (UN Editorial Manual 1983: 4). The term 'document' is used to designate written materials officially issued under a UN document symbol, regardless of the form of reproduction (UN Editorial Manual 1983: 4). Most documents are intended to serve as a basis for discussion at meetings of UN bodies.

The main types of documentation issued by the UN include the following six categories:

1. Documents for or emanating from its principal organs and subsidiary organs;
2. Official Records of the principal organs and their subsidiary organs;
3. Publications other than official records;
4. The Journal of the United Nations;
5. Public information materials, including publications, brochures and pamphlets;
6. Non-symbol papers.

Of Type 1 - documents for or from its principal organs and subsidiary organs, they include:

- (1) Reports
- (2) Memoranda
- (3) Notes
- (4) Analyses, studies and surveys
- (5) Replies to questionnaires
- (6) Working documents: agenda, draft resolutions and draft decisions, amendments
- (7) Communications
- (8) Addenda, corrigenda and revisions

Of Type 2 – official records, they are a series of printed publications relating to the proceedings of the principal organs of the UN and, when the General Assembly specifically so decides, of certain UN conferences; they include verbatim or summary records of meetings of the organ

concerned, documents or check-lists of document relevant to its discussions, and the reports to those organs of their subordinate or affiliated bodies, compilations of resolutions, certain reports of the Secretary-General, and other selected publications.

Over the years, the UN has developed its own style of writing and established the format for each category of documents. Writing for the UN, as Hindle points out, has special difficulties, requirements and constraints (A Guide to Writing for the United Nations 1984: iii). What the UN says must be couched in an idiom intelligible to the nationals of 192 different Member States varying in language, tradition, structure and political philosophy (see *ibid*). Given its history of over 60 years, the style has been generally followed. With the increase in international activities over the years, UN documents have also grown rapidly in both volume and complexity. Every day, UN produces numerous reports, studies, working papers, resolutions and other documents and translates them into six languages. It is said that the vast flow of documentation at the UN has become a tidal wave (*Ibid*).

UN documents are known for its length and volume and also for its bureaucratic jargon and usage. Some of the UN writings have been severely criticized. For instance, as cited in Hindle (1983: 21), some have described the writings at the UN as "excruciating", "a higgledy-piggledy mass of documents, a grand jamboree", "pompous, polysyllabic and relentlessly abstract style". It has also been said the UN documentation inferior in quality constitutes a lasting injury to the prestige of the Organization – lasting because the records of international institutions are used long after they have ceased to be working tools (UN Editorial Manual 1983: 21). In this regard, the UN is not unique in using bureaucratic language. The European Union (EU) is also known for what has been dubbed Europeak or Eurobabble. The translation department of the European Commission in recent years launched a plain language campaign called Fight the FOG, to encourage EU document drafters and translators to use clear and plain language (see Wagner, undated; Wagner et al 2002; and Tosi 2003).²

Another relevant factor in UN writing is that many of the documents drafted in English are originally written by writers whose first language is not English. Given the different levels of proficiency in English of such writers, some of these English documents sometimes create linguistic problems for both the readers of the documents and the translators who need to translate such texts.

Difficulties due to the multi-racial and multilingual characteristics of UN work are regularly encountered by translators. The occasions when one is unable to find equivalents for a word or concept in another language are frequent. For instance, the English words 'liability' and 'responsibility' have to be translated by the single French word '*responsabilité*'. This is true

with the Chinese language where there is no equivalent for 'liability', and 责任 (*zeren*) are often used for both words. If a distinction has to be made, an extra word 赔偿 (*peichang*) has to be added to indicate liability. Similarly, the words 'boundary' and 'frontier' are rendered as '*frontière*' in French. In this case the Chinese language is rich in equivalents: 边界 (*bianjie*) and 界线 (*jiexian*) can both refer to 'boundary', and 边境 (*bianjing*) and 边疆 (*bianjiang*) can both mean 'frontier'. Chinese translators have to consider the context to choose the right word. Actually, speakers at the UN meetings often talk about these linguistic problems themselves, such as the ones mentioned above (see A/CN.4/SR.2926, the summary record of the 2926th meeting of the International Law Commission, posted on the Commission's website at <http://www.un.org/law/ilc/> or see <http://untreaty.un.org/ilc/reports/2007/2007report.htm>.)

Still another factor in UN writing is that sometimes due to diplomacy, UN documents may use vague, general or ambiguous words quite extensively (see Cao 2007a and 2007b). Many of the international instruments and other texts are the result of political and other compromise and delicate balance of interests of different parties after long periods of negotiations and re-negotiations. Because of this, there is often calculated ambiguity in international instruments. For instance, not infrequently, deliberate imprecision and generalities are found in treaties. A fact related to the process of the making of multilateral instruments relevant to the translator is that international agreements are negotiated texts to represent the diverse interests of the participating State parties (Tabory 1980; Sarcevic 1997: 204). There are no particular requirements as to the manner of negotiation or reaching agreement or the form of a treaty, and as it happens, in international diplomacy, negotiators frequently resort to a compromise that glosses over their differences with vague, obscure or ambiguous wording, sacrificing clarity for the sake of obtaining consensus in treaties and conventions (Tabory 1980; Sarcevic 1997: 204). Thus, the translator should not attempt to clarify vague or ambiguous wording when translating such instruments (Cao 2007b). As pointed out, if they do, they run the risk of upsetting the delicately achieved balance and misrepresenting the intent of the parties (Sarcevic 1997: 204). However, there is also the difficult question of how the translator distinguishes the deliberate obscurity that is the expression of a political and often hard-won compromise from inadvertent obscurity produced when those drafting the original text use a language that is not their mother tongue (Cao 2007b). This is not unique to the UN but applicable to most if not all international forums, including the EU.

The need for clarity and brevity in UN writing has become a matter of concern over the years within the Organization. Concerning style and practice in UN documents, the editorial directive *ST/CS/SER.A/13/Rev.4* of 11 March 1980 states:

Writing for the United Nations calls for the same qualities of brevity, clarity, simplicity of language and logical organization of material as are desirable in all writing of a factual character. On the other hand, the need for circumspection in delicate political matters, the tendency to use the jargon of particular specialities and, in many cases, the need to draft in a language other than one's mother tongue militate against such a style.

It has been observed that UN reports are often very long and cumbersome. It has been recommended that UN reports should be action-oriented and contain precise information confined to a description of the work done by the organ concerned, contain summaries highlighting the main issues and recommendations to the conclusions it has reached, to its decisions and to the recommendations made to the organ to which it is reporting (see the note by the Secretary-General (A/INF/46/1) of 10 June 1991). After all, the UN is a large, complex, bureaucratic, multinational and multilingual organization, producing on a daily basis a vast quantity of documentation on a great variety of subjects for different readerships ranging from experts in specialist fields to the general public. They are also written in special UN bureaucratic styles and established formats. Moreover, UN documents are often the products of international diplomacy, needing to be sensitive and intelligible to audiences from different linguistic, cultural and political backgrounds. All these place special demands on translation. Thus, translation at the UN is a special genre of translational activity.

Translating UN Resolutions

As stated in the foregoing, UN documents have their own writing style. This directly influences and constrains translation. In the following, we will use UN resolutions as an example to briefly illustrate some of the associated translation issues.

Resolutions are the primary tools of discussion in the UN. They are submitted in draft form sponsored by individual or groups of nations. They form the basis for UN debates, bringing one or several issues to the floor in a form that representatives can discuss, amend, and reject or ratify as circumstances dictate. UN resolutions are formal expressions of the opinion or will of the UN organs (UN Editorial Manual 1983: 167). They usually state a policy that the UN will undertake, but they also may be in the form of treaties, conventions and declarations. They range from very general to very specific in content. Depending on the bodies involved, they may call for or suggest an action, condemn an action, or require an action or impose sanctions on the part of the member states. For our purpose, in terms of language, UN resolutions follow a common established format. They generally, but not invariably, consist of two clearly defined parts: a preamble and an operative part (UN Editorial Manual 1983: 167). The preamble generally recites the considerations on the basis of which action is taken, an opinion expressed, or a directive given. The operative part states the opinion of the organ or the action to be taken (UN Editorial Manual 1983: 167). Normally, each operative

clause in the operative part begins with a number, ends with a semicolon and the final clause ends with a full stop. Operative clauses are normally organized in a logical progression, and each clause usually contains a single idea. In terms of linguistic structure, a resolution is one long sentence with commas and semicolons throughout the resolution and with a full stop at the end. In the preamble, there is a comma after the name of the organ and a comma after each paragraph or subparagraph of the preamble. In the operative part, there is a semicolon after each paragraph or subparagraph and a full stop at the end, which is the only full stop in a resolution (UN Editorial Manual 1983: 183). The first key word(s) in each clause is (are) usually underlined or italicized. UN resolutions also make extensive use of certain performative verbs or verbal phrases in both the preamble and the operative section. The responsibility for ensuring that the texts of resolutions and amendments conform to the style laid down in the UN Editorial Manual rests with the Secretary of the Committee or other body from which the texts emanate (UN Editorial Manual 1983: 168).

Some of the commonly used preambulatory phrases include:

Acknowledging	Desiring	Keeping in mind
Affirming	Determined	Mindful
Alarmed	Emphasizing	Noting
Approving	Encouraged	...further
Aware	Endorsing	...with approval
Bearing in mind	Expressing	...with concern
Being convinced	Expecting	...with deep concern
Believing	Fulfilling	...with regret
Cognizant	Fully aware	...with satisfaction
Concerned	Guided by	Observing
Confident	Having...	Reaffirming
Conscious	...adopted	Recalling
Considering	...approved	Recognizing
Contemplating	...considered	Referring
Convinced	...examined further	Regretting
Declaring	...received	Reiterating
Deeply disturbed	...reviewed	Stressing
		Welcoming

Some of the commonly used operative phrases include:

Accepts	Decides	Notes
Adopts	Declares	Reaffirms
Affirms	Deplores	Recognizes...
Appeals	Emphasizes	Recommends...
Appreciates	Encourages	Regrets

Approves	Endorses	Reiterates
Authorizes	Expresses	Suggests
Calls upon	...its appreciation...	Supports
Concurs	...its conviction...	Takes note of
Condemns	...its regret...	Urges
Confirms	...its sympathy...	Welcomes
Congratulates...	...its thanks...	
Considers...	...the hope	

Below is an example of a resolution of the UN General Assembly with the Chinese and French versions following the English. These documents and other UN documents and their translations can be found at the UN Official Document System ODS at <http://documents.un.org> or <http://www.un.org/Depts/dhl/resguide/r59.htm>.

A/RES/59/35

Resolution adopted by the General Assembly
[on the report of the Sixth Committee (A/59/505)]

59/35. **Responsibility of States for internationally wrongful acts**

The General Assembly,

Recalling its resolution 56/83 of 12 December 2001, the annex to which contains the text of the articles on responsibility of States for internationally wrongful acts,

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (a), of the Charter of the United Nations,

Noting that the subject of responsibility of States for internationally wrongful acts is of major importance in relations between States,

1. *Commends* once again the articles on responsibility of States for internationally wrongful acts to the attention of Governments, without prejudice to the question of their future adoption or other appropriate action;

2. *Requests* the Secretary-General to invite Governments to submit their written comments on any future action regarding the articles;

3. *Also requests* the Secretary-General to prepare an initial compilation of decisions of international courts, tribunals and other bodies referring to the articles and to invite Governments to submit information on their practice in this regard, and further requests the Secretary-General to submit this material well in advance of its sixty-second session;

4. *Decides* to include in the provisional agenda of its sixty-second session the item entitled 'Responsibility of States for internationally wrongful acts'.

65th plenary meeting
2 December 2004

译 文

大会决议

[根据第六委员会的报告(A/59/505)通过]

59/35. 国家对国际不法行为的责任

大会，

回顾其 2001 年 12 月 12 日第 56/83 号决议，其附件载有国家对国际不法行为的责任的条款案文，

强调《联合国宪章》第十三条第一项(子)款所述的国际法编纂和逐渐发展依然十分重要，

注意到国家对国际不法行为的责任是对国家间关系至为重要的主题，

1. 再次提请各国政府注意国家对国际不法行为的责任的条款，但不妨碍将来是否通过条款或对其采取其他适当行动的问题；
2. 请秘书长邀请各国政府就今后对条款采取的任何行动提出书面意见；
3. 又请秘书长着手收集国际性法院、法庭和其他机构提及条款的裁判，并邀请各国提供关于本国在这方面的实践的资料，还请秘书长在第六十二届会议之前尽早提交这份材料；
4. 决定将题为“国家对国际不法行为的责任”的项目列入大会第六十二届会议临时议程。

2004 年 12 月 2 日

第 65 次全体会议

Résolution adoptée par l'Assemblée générale

[sur la base du rapport de la Sixième Commission (A/59/505)]

59/35. Responsabilité de l'État pour fait internationalement illicite

L'Assemblée générale,

Rappelant sa résolution 56/83 du 12 décembre 2001, en annexe à laquelle figure le texte des articles sur la responsabilité de l'État pour fait internationalement illicite,

Soulignant l'importance que continuent d'avoir le développement progressif et la codification du droit international visés à l'alinéa a du paragraphe 1 de l'Article 13 de la Charte des Nations Unies,

Notant que le sujet de la responsabilité de l'État pour fait internationalement illicite est d'une grande importance dans les relations entre États,

1. *Recommande une fois de plus* les articles sur la responsabilité de l'État pour fait internationalement illicite à l'attention des gouvernements, sans préjuger la question de leur future adoption ou autre décision appropriée ;

2. *Prie* le Secrétaire général d'inviter les gouvernements à soumettre leurs observations écrites concernant la décision à prendre au sujet des articles ;

3. *Prie également* le Secrétaire général d'établir une première compilation des décisions des juridictions internationales et autres organes internationaux se rapportant aux articles et d'inviter les gouvernements à communiquer des informations sur leur pratique à cet égard, et le prie en outre de lui présenter cette documentation bien avant sa soixante-deuxième session ;

4. *Décide* d'inscrire à l'ordre du jour provisoire de sa soixante-deuxième session la question intitulée « Responsabilité de l'État pour fait internationalement illicite ».

65^e séance plénière
2 décembre 2004

A number of comments can be made here in terms of translation. Firstly, this is a complete resolution. For the translator, all the format features need to be followed in all the official languages, for instance, the serial number, title, date, numbering of paragraphs, and punctuation marks. The translated versions need to have the same presentation. Secondly, the common preambulatory and operative words and expressions found at the beginning of each paragraph, such as 'recalling' (回顾/*huigu* in Chinese and '*rappelant*' in French), 'requests' (请/*qing*) in Chinese and '*prie*' in French), need preferably to be translated according to established usage in different languages, consistently with past translations. Thirdly, where the UN Charter is quoted, the original text of each language version will always be used, although the style of the original Chinese text is no longer in current use. Fourthly, if there are any official names or titles, such as titles of office, names of organizations, titles of resolutions, decisions, international treaties or laws and other official documents that have been officially translated, those translated names or words need to be used for the requirement of consistency. Fifthly, if there are any legal terms, they need to be translated carefully and according to established legal usage, for instance, 'internationally wrongful acts', 国际不法行为 (*guoji bufaxingwei*) and '*fait internationalement illicite*', as different legal terms may entail very different legal consequences. Lastly, grammatically and syntactically speaking, the language of the resolution does not pose much difficulty for translators, who nevertheless are required to possess basic legal background knowledge and to know the established usages.

To conclude, due to the nature of the work of the UN and the linguistic nature of UN documents, the common difficulties for the translator include: technical demands, consistency, working as a team, turn over time (short deadlines), and the need to keep abreast of world changes, which are invariably reflected in the discussions at the UN. The multi-racial, multi-

cultural environment at the UN and its various bodies bring unique complexities to document writing, hence special difficulties to translators in all the six official language services/sections. While being able to draw on the wealth of experience accumulated in the 60-plus years' history and the well-established working norms and procedures, translators at the UN are under constant pressure to meet the quality and quantity requirements in order to provide the translation of highest standards possible to this most universal international organization.

References

- **Cao**, Deborah (2007a). "Inter-lingual Uncertainty in Bilingual and Multilingual Law". *Journal of Pragmatics* 39, 69-83.
- **Cao**, Deborah (2007b). *Translating Law* (Foreword by Justice Kirby of the High Court of Australia), Clevedon: Multilingual Matters.
- **Cao**, Deborah and Zhao, Xingmin (2006). *Lianheguo wenjian fanyi (Translation at the United Nations)*, Beijing, China: Translation and Publishing Corporation.
- **McCallum**, Bob (2004). "Translation Technology at the United Nations." *Localisation Reader: 2004-2005*. On line at http://www.localisation.ie/resources/reader_27-30 (consulted 20.10.07)
- **Sarcevic**, Susan (1997). *New Approach to Legal Translation*, The Hague: Kluwer Law International.
- **Sprung**, Robert C. and **Jaroniec**, Simone (eds) (2000). *Translating into Success: Cutting-edge Strategies for Going Multilingual in a Global Age*. Amsterdam: John Benjamins.
- **Tabory**, Mala (1980). *Multilingualism in International Law and Institutions*. New York: Sijthoff & Noordhoff.
- **Tosi**, Arturo, (ed.) (2003). *Crossing Barriers and Bridging Cultures: The Challenges of Multilingual Translation for the European Union*. Clevedon: Multilingual Matters.
- **Toury**, Gideon (1995). *Descriptive Translation Studies and Beyond*, Amsterdam: John Benjamins.
- **United Nations** (1983). *United Nations Editorial Manual: A compendium of rules and directives on United Nations editorial style, publication policies, procedures and practice*. New York: United Nations Publication.
- **United Nations** (1984). *A Guide to Writing for the United Nations*. New York: United Nations Publication.
- **United Nations** (2003). *Guidelines on the Preparation and Submission of Documentation*, United Nations Publication.
- **Wagner**, Emma. *Fight the FOG: Write Clearly* <http://europa.eu.int/comm/translation/en/ftfog/> (consulted 20.10.07)

- **Wagner**, Emma, **Bech**, Svend, and **Martinez**, Jesus M. (eds.) (2002). *Translating for the European Union Institutions*. Manchester: St. Jerome.

Biographies

Mr Xingmin Zhao is a translator at the United Nations Office at Geneva. He was educated in China and became a translator in the UN in 1988. His translation covers various subjects, such as disarmament, human rights and international law. His present focus is on translation of international law. He co-authored *Translation at the United Nations* (2006, in Chinese, Beijing). His other interests include literary translation and translator training.

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¹ The German Translation Section of the United Nations was established pursuant to General Assembly resolution 3355 (XXIX) of December 18, 1974. Since 1975, all resolutions and decisions of the General Assembly and the Security Council as well as numerous other important UN documents have been issued in an official German version produced by the Section. The German Translation Section is part of the Documentation Division within the Department of General Assembly and Conference Management of the UN Secretariat. Funding is assured through a trust fund financed by contributions from Austria, Germany, Liechtenstein and Switzerland (see <http://www.un.org/Depts/DGACM>).

² For plain language campaign at the EU, see <http://europa.eu.int/comm/translation/en/ftfog>.