Terminology and Translation Issues in EU Eng>Ita Documents

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1. *Some initial remarks on the prospective role of English in Europe.* Attitudes towards the role and status of English in Europe have changed over the past century and keep on changing today. Many people regard the English language as an opportunity for speakers of other languages to participate in the world stage. The increased dominance in world affairs of the USA meant that English has assumed a sort of 'pidgin' role in law, business, higher education, scientific research and tourism, to mention just a few of the more economically significant domains of language use. Others, devoted to linguistic imperialism approach to English, see it as a threat to the national languages of Europe and even as a threat to national cultures and identities. The use of English in contexts where speakers from various national cultures get into contact with each other is certainly not a new phenomenon, according to Motschenbacher (2013). It is undeniable that in Europe, English is today predominantly used as a lingua franca, i.e., a "language which is used as a means of communication among people who have no native language in common" (Trudgill 2000). In fact, although in May 2017 current European Commission President Jean-Claude Juncker told in a conference in Italy on the EU that "Slowly but surely, English is losing importance in Europe", we cannot underrate that English is by far the most widely spoken foreign language in the EU – both as the main working language and as the primary L2 among Europeans. Moreover, even if EU has currently 24 official languages and there are two other working languages in EU institutions – French and German –globally as many as 400 million people are English mother-tongue speakers, whereas such figure for French is about 220 million. Nonetheless, as clearly explained by the linguist of Gavle University, Sweden, Marko Modiano (2017), the Brexit process has had some effects on the status and functions of English in the EU and has contributed to develop a new form of the English language, called Euro-English– i.e., English used by continental Europeans whose speech is not distinctly based on any one Inner Circle variety (see Kachru 1992) but is nevertheless characterized by influences from standardized English as well as their native tongues. Modiano argues that the exit of Britain from the Union is creating the

sociolinguistic space for the emergence of an authentic European English, used by members of the EU as a 'second language' or (even) a quasi-Outer Circle English, serving the needs of the European Union as the common link language for administration and cooperation between Member States. Essentially, Euro-English represents the variety of English featuring some words based on the Eurospeak deployed in Brussels. Hence, Euro-English could help provide its users with a "sense of identity", being regarded as a medium of construction of "Europeanness".

2. *Aim*. The aim of this paper is to highlight the main lexical features of EU documents and the challenges we have to face when translating a EU text from English into Italian. Before delving into such traits on the language of EU legislation, we need to better know the main lexical features of Legal English, which we will focus on in the following section.

3. *Features of legal English*. Legal writing may be considered a special register of the general language, which can be used for a certain variety of purposes, ranging from judges' opinions, court orders, judgements, wills, settlements, primary legislation, research articles, professional manuals and text-books. Each of these displays elements that would certainly emerge as sufficiently distinctive to deserve consideration as a genre, in addition to exhibiting common features peculiar to Legal English. V.K. Bhathia (1987) draws a distinction between [a]'frozen' and [b]'formal' documents, as the first ones, [a], are contracts, deeds, wills, court orders, insurance policies, which are composed of pre-printed formulae, often on ready-printed forms and often used in an unchanged way for centuries; the latter ones, [b], are legislation, rules and regulations, whose content may vary according to its purpose and context; nevertheless, there are some elements, such as the enactment formula, the royal assent, the date and stamp duties, which will be present because they are the conditions of the validity of the enactment. Accordingly, the style of written legal language can be regarded as 'frozen' or 'formal', due to formulae and/or references to other provisions. It is clear that such structures, as well as the use of long sentences (fifty words on average), impersonal style and typical legal vocabulary, seem old-fashioned in modern language use. Mellinkoff (1963; 1982) defines legal language as archaic, pompous and dull, listing the following characteristics:

- frequent use of common words with uncommon meanings such as 'action', 'assignment' and 'consideration';
- use of Old and Middle English grammatical words that now are considered unusual, like 'abovementioned', 'aforesaid', 'hereby', 'hereinafter', 'hereto', 'therein', 'thereof', 'whereas'; such archaic words make the text more formal, and many of them, especially those found in the documents of the *Official Journal of the European Union*, are not translated in the Italian version;
- use of Latinisms, i.e., Latin words and phrases that have acquired an anglicised pronunciation, such as 'actus reus', 'affidavit', 'alibi', 'bona fide', 'caveat', 'de jure', 'de facto', 'inter alia', 'mens rea', 'sub poena', etc.;
- use of French-derived words, like 'attorney', 'contract', 'conditions', 'defendant', 'easement', 'evidence', 'lien', 'plaintiff', 'policy', 'proposal', 'terms', 'tort', etc.;
- use of the so-called legalese jargon, technical words such as 'decree', 'deem', 'landlord', 'month-to-month', 'mortgage', 'negotiable instrument', 'sub-letting', 'tenant', etc.;
- use of professional language in lawyer communication, like 'due care', 'due course', 'rule of law', etc.;
- use of words and phrases with vague, indefinite meaning, such as 'negligence', 'the reasonable man', 'undue influence', etc.;
- frequent use of doublets – or binomials – and triplets, such as 'any and all', 'covenants and obligations', 'in good order and repair', 'leave, bequeath and device', 'lying and situated', 'made and entered by and between', 'null and void', 'represents and warrants', 'safe and secure' 'terms and conditions', 'will and testament', etc.;
- uncommon use of the words 'the same', 'said' and 'such', translated into Italian with the word '*tale*';
- use of the so-called anastrophe or inversion of the standard position of adjectives and nouns, when the adjective has an attributive position, i.e. it is before a noun; some examples are 'attorney-general', 'body politic', 'court martial', 'Directorate-general', 'fee simple', 'governor-general', 'heir apparent', 'heir presumptive, 'secretary-general'*;*
- frequent use of the modal verb 'shall' in a deontic modality, that is, with a connotative meaning of obligation, rather than being

used according to its more common value of expressing future forms; for example, in the following sentence:

"Husband *shall* pay to Wife spousal support in the sum of…"

'shall' will be translated into Italian as follows:

"Il marito *ha l'obbligo di* versare un mantenimento alla moglie di somma pari a…"

- lexical redundancy, that is word repetition instead of the use of personal/demonstrative pronouns. For example, the following sentence:

  "The Lessee shall pay to the Lessor *at the office of the Lessor*"

could be simplified as follows:

  "The Lessee shall pay to the Lessor at *his office*",

but the possessive pronoun 'his' replacing 'the lessor' could lead to confusion on whom the possessive pronoun refers to;
- frequent use of lexical collocations or word-clusters – i.e., a lexical combination or partnership of two or more words that preferably occur together. The relationship that binds the words in a collocation is substantially strengthened, solidified by usage, and is not imposed by grammar rules. Some examples of collocations commonly used in legal texts are: 'Board of Directors', 'Court of Auditors', 'Court of Justice of the European Union', 'criminal law', 'juvenile court', 'Member State', 'parliamentary speech', 'to enter politics', 'to hear a case', 'to pass a bill'.

These are only some of the reasons that make legal discourse quite impervious to the layperson.

In terms of syntactic complexity, subordination and left-branching constructions[1] are quite often found. An example of left-branching is the following (typed in italics):

> *Where a notice is served by the Central Public Information Officer or State Public Information Officer, as the case may be, under sub-section (/) to a third party in respect of any information or record or part thereof*, the third party shall, within ten days from the date of receipt of such notice, be given the opportunity to make representation against the proposed disclosure[2].

Sentence length and complexity generally combine with a high frequency of passive constructions, required to meet depersonalisation needs. The following example comes from Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004. Passive forms are typed in italics:

> In cases of disagreement between the Agency and national safety authorities on the issuing of single safety certificates or vehicle authorisations, an arbitration procedure *should be established* so that decisions *are taken* in a concerted and cooperative manner.

A feature likely to cause misunderstanding is the omission of wh- forms plus some voices of the verb to be (the so-called whiz deletion), as in the following example: "agreement [*which is*] herein contained or implied".

It is also interesting to point out the frequent occurrence of words like 'administration', 'disposition', 'distribution' and 'provision', all clear examples of nominalisation, which also appears in scientific English but not with the same frequency as in Legal English.

As to the purpose of legal texts, they may perform two functions, linked to Kelsen's distinction between prescription and description. The function

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[1] Quirk *et al*. (1985) define three positions of subordinate clauses: initially, medially and at the end of superordinate clause. Initial and medial positions refer to beginning of superordinate clause. The technical terms used for initial, medial and final position are left-branching, nesting, and right branching, respectively.

Initial position (left branching): **"*When you're ready,*** we'll go to my parents' place". Medial position (nesting): **"**We'll go, *when you're ready,* to my parents' place". Final position (right branching): **"**We'll go to my parents' place *when you're ready*".

[2] Example based on Verma (2015).

of legal language is a performative one, as legal language carries the force of law, the statement is the act. A performative text is a binding text whose authors do not talk about law but act in a legal way. This function is compared to the informative function of texts belonging to the doctrine.

A key aspect in the investigation on legal English is that a legal text is always linked to a national, supranational, international or transnational set of rules – that is, legal language is always system-bound. Nevertheless, in the field of law there are strong differences between individual systems and set of rules, and consequently between individual languages, so in many cases it is necessary to assess case by case whether a given concept exists in the target legal language, as well as whether there is a corresponding concept in the source legal system. Furthermore, each legal text, built up as a complex linguistic entity and produced by a juridical culture, refers to peculiar and culture-bound linguistic means, such as phraseology and terminology. We have to highlight that the precision, the exactness of many terms is balanced by the indefiniteness of many others, leading to polysemy and, above all, vagueness that is functional to the evolution of law as it may allow an easier adaptation of the legislative framework to a varied and changing-in-time reality.

On the basis of what we have already pointed out, English legal language appears to be by nature complex, rich in terms hardly understandable for those who are not used to such expressions; as we have already underlined, such complexity derives from the polysemy of many words that in the common sense have one meaning, while in the specialist language assume a completely different and specific one. For example, the term 'bill' as a noun, which in the common language in Italian means[3]:

a. *conto*: to settle a bill [IT.: *pagare un conto*];
b. *bolletta*: the phone bill [IT.: *la bolletta del telefono*];
c. *banconota*: a ten-dollar bill [IT.: *una banconota da dieci dollari*];
d. *cambiale*: bill at sight [IT.: *cambiale a vista*];
e. *manifesto*: to post a bill [IT.: *affiggere un manifesto*];

and has several other meanings, in the legal language means:

f. *progetto/disegno di legge*: to draft a bill [IT.: *preparare un disegno di legge*]; to pass a bill [IT.: *approvare un progetto di legge*]; EU

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[3] Examples based on *Il Ragazzini* (2016).

withdrawal bill [IT.: *progetto di legge per l'uscita (del Regno Unito) dall'Unione Europea*];

g. *atto*: bill of appeal [IT.: *atto di appello*]; bill of complaint [IT.: *atto di citazione*]; bill of indictment [IT.: *atto d'accusa*];

h. *Carta*: Bill of Rights [IT.: *Carta dei Diritti*].

Another consideration lays on a fact linked to the history of English, as it comes from the synthesis of a dynamic interaction between a Germanic layer and a Neolatin layer, where grammatical words belong to the former layer, while lexical words belongs mostly to the latter layer. The specialized language we are focusing on tends to borrow words of Neolatin origin; this facilitates the work of those who have to deal with a Legal English text, if the source language of the same belongs to the Neolatin matrix.

In addition to and on completion of polysemy, specialist vocabulary is also characterised by monoreferentiality – that is, in one context there is only one meaning that can be attributed to a given term: for example, in the legal language 'barrister' means 'lawyer' (IT.: *avvocato patrocinante*), with reference only to Britain, 'to summon' means 'formally calling' (IT.: *chiamare formalmente in giudizio*), 'plea' means 'a statement made by somebody or for somebody who is accused of a crime' (IT.: *dichiarazione*). This is a trend that aims to an absolute biunivocity between a term and a concept.

From the lexical point of view there is a further distinctive component that sometimes arises, adding to polysemy and monoreferentiality: the semantic instability of the words that comes from evolution and the introduction of new knowledge. It is useful in this sense the example of the verb 'to purchase', which originates from 'chase' and recalls the hunting and strength concepts; it was originally used to mean 'to obtain or receive as due in any way, including through merit or suffering', but since the mid-fourteenth century it has got the modern meaning of 'acquiring for money, paying money for, buying'.

Another noteworthy aspect is the process of meaning derivation of words when they shift from common use to specialist language, such as the use of metaphors or metonymies, which allows to trigger processes of semantic associations; for example, the metaphor 'legal eagle' refers to a very good, clever lawyer (IT.: *avvocato molto capace*), as the eagle recalls remarkable intellectual skills; the metonymy 'ermine' corresponds to a judge (IT.: *giudice*), being the ermine fur worn by high-ranking judges.

Also, the metonymy 'the Bench', that is the judiciary, the judges of a country (IT.: *la magistratura*), referred to the location in a courtroom where a judge sits; the metonymy 'the Bar', that is the lawyers' association (IT.: *l'avvocatura*), to mean the wooden railing marking off the area around the judge's seat in a courtroom; the metonymy 'red tape', that literally means 'red ribbon', has acquired the meaning of bureaucracy, but in a pejorative sense, i.e. official rules that seem more complicated than necessary and prevent things from being done quickly (IT.: *lentocrazia*), originated by reconnecting the image of the red tape with which once the documents were tied; or the metonymy 'Green Paper' (IT.: *Libro verde, fascicolo di proposte governative*), which represents a preparatory document that is able to collect the contents and which could then turn into a 'White Paper', a metonymy as well (IT.: *Libro bianco, rapporto ufficiale pubblicato da un governo o un'organizzazione*), that is, a more definitive proposal to be included in the legislative process.

4. *The language of EU documents*. After these brief sketches on Legal English, we can now delve into the language of EU documents.

EU documents must, of course, appear identical in the various official languages and, above all, have the same meaning since the principle of the same authenticity of parallel texts takes for grant that such texts are the same not only from a formal point of view, but they have to produce the same legal effects through the achievement of legal equivalence (Šarčević, 1997).

In order to avoid misunderstandings and ambiguities, the European Institutions have established, through the *Interinstitutional Style Guide*[4] and an *English Style Guide*[5], certain formal standards that each parallel text needs to satisfy, establishing its organization, punctuation, abbreviations and even typographical features, so that the translated document looks identical in any language.

As we have already explained, the legal languages of each legal systems are rather crystallized because of their connection with traditions, formulas and archaisms. The language of European institutions, a vehicle for intercultural communication, is, however, strongly productive as an expression of new realities at political, economic and social level. In fact, the institutions and procedures in the documents of the European Union do not necessarily have their correspondents in the laws and the languages of

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[4] http://publications.europa.eu/code/en/en-000100.htm
[5] https://ec.europa.eu/info/sites/info/files/styleguide_english_dgt_en.pdf

the individual Member States, because, as previously stressed, each set of rules is system-bound as well as culture-bound; yet they must be translated into all official languages. This constantly changing situation has been, since the very beginning of the European Community, the ideal environment for continuous terminological creation through the following mechanisms:

- semantic neologisms: EU language has transposed terms belonging to general or special-purpose language through a process of risemantisation – i.e., giving new meanings to old already-existing words. Terms such as 'directive', 'decision', 'regulation', 'enlargement', from the original generic meaning have undergone a semantic widening (Levin, 1987). Terms such as 'subsidiarity' and 'stabilizer' have moved from another specialized language, in the case of the Italian one, respectively, from the language of criminal law and from the field of electronics, to Community terminology. It has been the case also of some collocations, such as 'sustainable development', an expression that, originally used in the field of ecology, is currently used in different areas, from finance to humanitarian aid;
- morphological neologisms (or derivatives): words formed by derivation or affixation increase exponentially, especially in EU media language. In the official documents we can find some derivatives of the prefix 'Euro-', such as 'Europartnership', 'Eurobarometer', 'Eurocrat', 'Euro-Mediterranean', 'Europol' (i.e., 'European Police Office') and, lastly, 'Europlanning'. It is also possible to find words modified by the suffix '-ology', such as 'Comitology', or the suffix '-ation', such as 'Communitisation' or 'over-budgetization' which also has a grade prefix. This latter term derives from the French *surbudgétisation* and has led to a derivative in many official languages, while in Italian the collocation '*dotazione finanziaria eccessiva*' has been chosen;
- metaphors: in the European Union language, there are several expressions used in a metaphorical sense. Firstly, 'the pillars of the EU' (IT.: *I pilastri dell'Unione Europea*), which constitute the foundations of the European Union as conceived in the Treaty of Maastricht, ideally represented as a Greek temple supported by the European Community, the foreign and Common security policy and by the cooperation in justice and home affairs. Secondly,

'multi-speed Europe' (IT.: *Europa a più velocità*), which indicates a differentiated integration mechanism, according to which the common objectives of the Member States are pursued by some of them at a later date than others, according to their needs. Thirdly, 'variable geometry Europe' (IT.: *Europa a geometria variabile*), which is another term used to describe the idea of a method of differentiated integration in the European Union. Finally, 'Europe "á la carte"' (IT.: *Europa alla carta*), which represents a further way of integration, allowing Member States to select the political sector to which they are participating, provided they maintain a minimum number of common objectives;

- metonymies: as we have already analysed, 'Green Paper' and 'White Paper' are examples of such figurative process. Particularly, in EU context, a 'Green Paper' is a document published by the European Commission to stimulate discussion on given topics at European level, whereas a 'White Paper' is a document containing proposals for EU action in a specific area. A frequent example of metonymy is 'Schengen', referred not merely to the small wine-making town in South-Eastern Luxembourg, but to the Schengen Agreement signed on 14 June 1985 and aimed at gradually removing border controls and at introducing freedom of movement for all nationals of the signatory countries, other EU countries and some non-EU countries. Furthermore, sometimes we refer to 'Berlaymont', that is the building in Brussels that hosts the European Commission, as a synonym of EU bureaucracy or the European Commission itself, such as in the headline "Monster at the Berlaymont"[6], referring to Martin Selmayr, the head of cabinet to the President of the European Commission Jean-Claude Juncker, described as an "armored bulldozer";

- acronyms and initialisms: administrative services have shown some inventiveness in the creation of acronyms; here we cite just some examples largely influenced by ancient Greece and its mythology: 'EUREKA', the European Research Coordination Agency, the 'SOCRATES' educational programmes, the System for Organizing Content to Review and Teach Educational Subjects, and 'ERASMUS', the European Community Action

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[6] *Politico*, 17 November 2016.

Scheme for the Mobility of University Students, and finally 'EURYDICE', the Information Network on Education in Europe.

5. *Translation issues*. All this terminological dynamism may often pose a question of untranslability in EU texts, so those who struggle daily with translation are aware that it is sometimes impossible and frequently they approximate. Some of the difficulties we can encounter when translating EU texts is the non-transferability of concepts. In fact, some concepts are difficult to express in different languages for the simple reason that they are specific to certain countries because of their geography or climate. For example, the Mediterranean countries have a rich vocabulary of terms related to olive crops and growing. Finland, Sweden and Denmark have no climatic chance of growing olives themselves, and little tradition of trade in olives. Yet EU Directives and reports on olive-growing need to be translated into Finnish, Swedish and Danish, because it is a legal obligation. In such cases, translators work by conscientious research and by paraphrasing.

Similar problems arise when translating texts about the Member States' institutions and their educational, legal and social security systems. When we translate '*Chambre des députés*, the best solutions are 'House of Commons' or '*Bundestag'*? No, of course not, since it is not the same thing. But if we call it 'the French lower house' the meaning may be unclear to some readers, and if we define it as 'the lower house in the French parliamentary system' we may be too verbose. In some contexts, depending on the target readers, it may be better to translate it as 'The French equivalent of the House of Commons/Bundestag' or to leave it in French, with an explanation in brackets: 'the Chambre des députés (French Parliament)'.

When translating texts about legal concepts recommended or imposed at European level – consumer guarantees or paid maternity leave, for example – it may be misleading to translate the generic term by the correct specific term used at national level, even if an exact equivalent exists, because using a correct but nationally-specific term could lead to confusion; a supranational term which has no immediate national meaning may be preferable. Sometimes national terminology may be replaced by Eurospeak terms, already mentioned in section 1. Eurospeak is also preferable when used to refer to genuinely European concepts that have no equivalents at national level, and they may be convenient because they avoid confusion. For example, 'subsidiarity' (that is, as previously said,

taking EU decisions and action at the lowest feasible regional, national or central level) is probably preferable to 'devolution', which means the same, because in the UK, 'devolution' is conventionally used to refer to relations with Scotland, Wales and Northern Ireland.

An example of challenging translation is the adjective 'green'. The concrete or denotative meaning is the same everywhere, maybe due to chlorophyll. But the symbolic or connotative meaning varies. If we have to translate a French publication with the title *L'Europe verte* (green Europe), for the French and Spanish, the title *L'Europe verte* and *Europa verde* would be about agriculture, farming. A German would assume that *Grünes Europa* is about preservation and the environment. But a British or Irish reader would suppose that *Green Europe* has something to do with gardening, ecology or politics, maybe. The problem seems insoluble, especially as the word 'green' has many other connotations too: 'young', 'immature', as in the Portuguese *vinho verde* (green wine, i.e., young wine, IT.: *vino giovane*), or in the English 'a green hand' (an inexperienced worker, IT.: *un lavoratore inesperto*); in Spanish it can also mean 'dirty' or 'smutty' as in *chiste verde* (a dirty joke, IT.: *una barzelletta sporca*).

When translating for the EU, we have also to cope with crossing cultural barriers. For example, one achievement of the European Union has been to ensure that all female workers in the EU are entitled to paid maternity leave for at least three months (while paid paternity leave is guaranteed only in Nordic states, such as Iceland, Denmark, Sweden, Norway and Finland). But a speech or a booklet full of self-congratulation on this achievement will not be well received in a country that already has a different reality (in Sweden it is normal to have one year's maternity leave). In this case, translators should warn the author that the concept may not translate well because of cross cultural differences, and try to suggest an alternative way of getting the same idea across.

A key issue that needs to be underlined is that most of the text written inside the EU institutions are produced in English or French by non-native speakers of those languages. In fact, although it is often considered important to exploit someone translating into his/her mother tongue as this is the language which he/she is usually most fluent in, both in terms of vocabulary and cultural nuances, in multinational drafting teams it is unreasonable to allow everyone to write their contribution in their mother tongue. Undeniably, many non-native speakers do a remarkably good job of drafting in English; and, conversely, English native speakers are not necessarily good writers. Everyone working in the EU institutions is

subjected to a flood of Eurojargon, *flanglais* – a mixture of French and English which often uses words that would not make sense to a native speaker – and false friends, and it is difficult to distinguish, for example, whether the French word *délai,* time period, deadline, (IT.: *periodo temporale*), has its true meaning or it is confused with the English word *delay*, (IT.: *ritardo*), translated into French *retard*. This is especially difficult when so many papers have been published, written by non-native speakers, referring to 'payment delays', while they really meant 'payment periods'.

Another question translators have to cope with, linked to the previous issue, is interference. Everyone working in a multilingual environment risks some erosion of his/her ability to speak and write his/her mother tongue. This is because of interference from other languages: the invasion of foreign vocabulary and syntax as well as the exposure to the frequent misuse of their mother tongue. The problems of drafting by non-native speakers have been already discussed some lines before. It is useful to list some of the most prevalent and frequent false friends – cases where there is a misleading resemblance between a French word and an English one, leading to interference between the two languages. This interference is at the root of the emergence of the so-called Euro-English – already described in section 1 according to Modiano definition – which has given rise to different lexical usages and frequently a shift in meaning of English words (that, in this case, are similar to French words).

Table 1 – List of some French words which, by interference with English words, result in Euro-English.

| French	Euro-English	Correct English and meaning
actuel	actual	Actual is sometimes used to refer to something that is happening now. However, in English it means 'real' or 'existing'. Alternatives: current, present.
adéquat	adequate	Adequate is frequently used with the meaning of appropriate. However, its actual meaning is closer to 'satisfactory' or even 'barely satisfactory'. Alternatives: appropriate, suitable, fitting.
completer	complete	To 'complete' means to finish, end or terminate. It therefore implies that whatever is being completed was somehow incomplete, unfinished, un-ended and in need of termination. In EU texts, however, this word is often used to mean that something extra has

		been added to supplement something that, in itself, was actually complete beforehand. Alternatives: supplement, add to.
disposer de	dispose of	The most common meaning of 'dispose of' is 'to get rid of' or 'to throw away'; it never means 'to have', 'to possess' or 'to have in one's possession'. Thus, the sentence 'The managing authority disposes of the data regarding participants' does not mean that it has them available; on the contrary, it means that it throws them away or deletes them. Alternatives: have, possess.
éventuel	eventual	Eventual means 'occurring at some unspecified time in the future', eventually means 'in the end'. However, in EU texts, these words are often used with a meaning akin to 'possible' and 'possibly'. Alternatives: any, possible.
important	important	'Important' is often wrongly used to mean 'big'; it actually means: 'strongly affecting the course of events or the nature of things' or 'having or suggesting a consciousness of high position or authority'. Alternatives: large, significant.
opportunité	opportunity	The English dictionary definition of opportunity is 'a favourable or advantageous circumstance or occasion or time'. Alternatives: advisability.
prévu	foreseen	Its basic meaning in English is 'to see something in advance' and therefore to 'predict' or 'expect'. It is often used to describe the activities of soothsayers and fortune tellers and, perhaps for this reason, it may sometimes not be clear whether the prediction in question is based on fact or not. In EU texts, it is incorrectly used in many ways that correspond more or less to the uses of the French word 'prévoir'. Even when used with the right meaning, 'foresee' is often syntactically awkward as it does not, for example, normally govern the infinitive: thus 'Croatia is foreseen to join the Union in 2013' is odd, whereas 'Croatia is expected to join the Union in 2013' is not. Alternatives: provided for, plan, predict.

Source: Data adapted from Wagner, E., S. Bech and J. M. Martínez (2014) and European Court of Auditors (2016).

6. *Two schemes of EU documents.* Now, we will present the structure of a typical document of the EU. Both schemes come from the *Interinstitutional Style Guide*, previously cited.

This diagram shows the basic elements of a legal act. Depending on the complexity of the text, elements such as parts, titles, chapters or sections may be used in the preamble, enacting terms and annexes.

Figure 1 – Structure of a EU legal act - Scheme
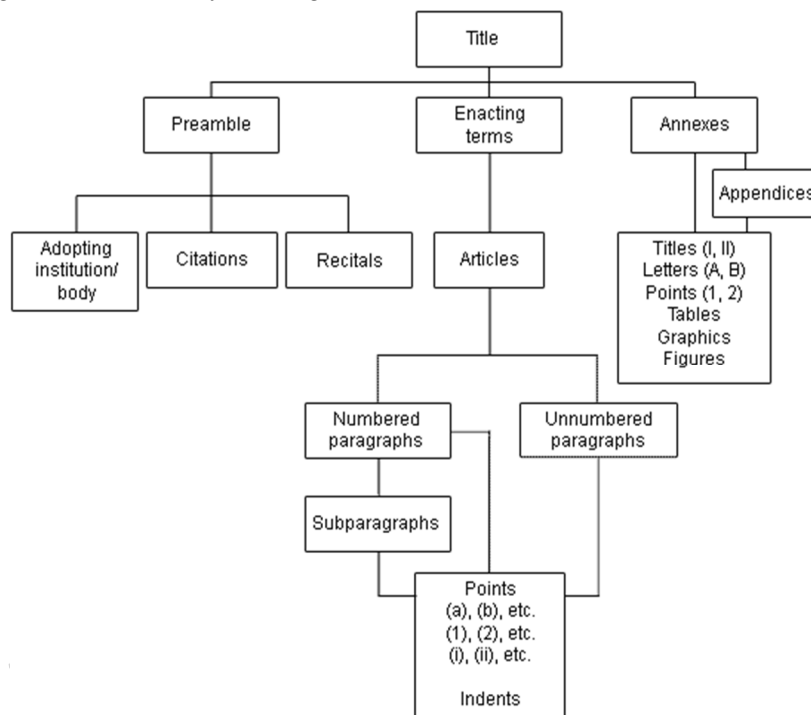
The following scheme shows a concrete example of Regulation, sectioned and analysed according to the standard parts of a EU document. It clarifies the type of act (Regulation, Directive, Decision, Recommendation, Opinion, etc.) and is composed of a title, a preamble, divided into citations introduced by the formula 'having regard to'(corresponding to the Italian word *visto*) and indicating the legal bases of the act, recitals introduced by the conjunction 'whereas' with the meaning "because of the fact that…" (translated into Italian as *considerando quanto segue*), an enacting formula or enacting terms,

divided into articles, points, paragraphs, subparagraphs, a ruling and final provisions.

Figure 2 – Structure of a EU legal act – Concrete example
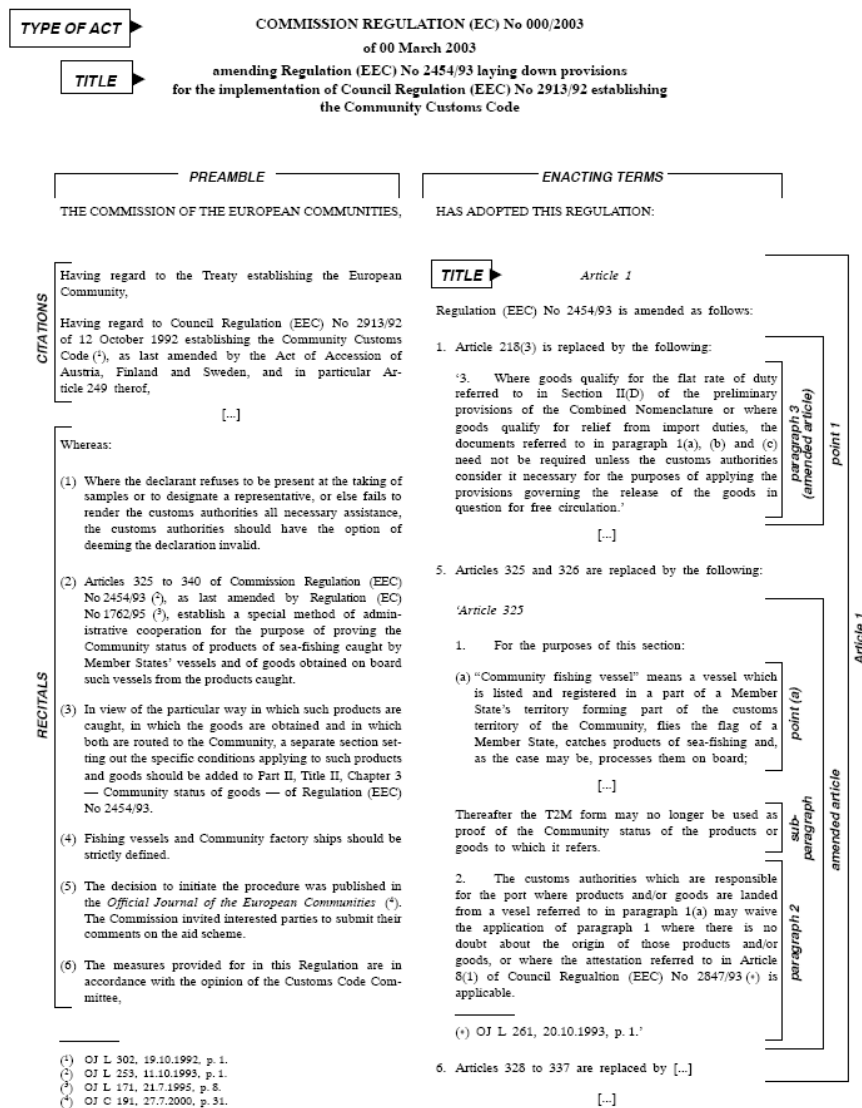
Following these rules on drafting EU documents fosters the harmonisation process between all languages and all institutions, as well as improves the quality of the delivered texts and ultimately contributes to save time and resources on the part of the translating institution, including avoiding extensive revision work (Svoboda, 2017). Chiefly, it helps guarantee the achievement of legal equivalence, because, even when making linguistic decisions, translators must take account of legal criteria. Therefore, the decision-making process of legal translators is based primarily on legal considerations.

Essential References

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