

The background of the slide is a light gray gradient, decorated with several realistic water droplets of various sizes. The droplets are rendered with soft shadows and highlights, giving them a three-dimensional appearance. They are scattered across the page, with a cluster of larger droplets in the top left and bottom right corners, and smaller ones in between.

TRANSLATION FOR ACHIEVING EQUAL AUTHENTICITY OF EU LEGAL ACTS

PROF. DR. SC. MILICA GAČIĆ

EU LAW

- **product of different legal systems, and the system of its own**
- **expressed through different linguistic systems**

TO IMPROVE THE EU LEGAL SYSTEM

due to its multilingual nature,

it is necessary to:

- **research and review its subject matter, and**
- **the use of its official languages in order to achieve precision of the linguistic means through which it is expressed**

THE DYNAMISM OF CHANGE

- **developing new concepts, and**
- **monitoring, checking and questioning of concepts already in use**
- **task of lawyers and of linguists to:**
- **showcase, discuss and obtain clear linguistic rendering of concepts into terms**

MULTILINGUAL CONTRASTIVE ANALYSIS APPROACH

- **to the legal content of acts**
- **to their linguistic expression (i.e. well-defined terminology in different official languages)**
- **clear legal concepts, expressed by well-defined terminology used in legal acts, may provide ground for furthering and achieving equal authenticity in different official languages.**

EXEMPLIFYING ISSUES

- **taking into account issues of:**
 - **polysemy,**
 - **synonymy, and**
 - **equivalence**
- **On the lexical, syntactical and semantic levels of some of the EU official languages (Croatian, English, French and German)**

LEGAL ACTS TRANSLATION – 3 MAIN REQUIREMENTS

- **translation quality**

formal/legal

technical quality (format); legal equivalence (same legal effect)

- **terminological:**

- clear & well-defined terms; consistent usage; new EU terminology vs. existing national terminology**

- **linguistic:**

- compliance with EU rules vs. compliance with national (general and legislative) textual conventions; avoidance of linguistic interference**

- **COMMISSION RECOMMENDATION of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (notified under document number C(2003) 1422) (Text with EEA relevance) (2003/361/EC)**

<http://www.reach-compliance.eu/english/REACH-ME/engine/sources/regulations/launch-2003-361-EC.html>

engl. ***micro, small and medium-sized enterprises*** – translated into Croatian in at least 4 ways:

- '**mikro, malo i srednje poduzetništvo**' (Ministarstvo za obrt, malo i srednje poduzetništvo do 2011. – sada: Ministarstvo poduzetništva i obrta)
- '**mikro, mali i srednji poduzetnici**' (*Zakon o računovodstvu*, NN 146/2002)
- '**mikro, malo i srednje malo gospodarstvo**' (*Zakon o poticanju razvoja malog gospodarstva*, NN 29/2002)
- '**mikro, mali i srednji subjekti malog gospodarstva**' (*Zakon o izmjenama i dopunama Zakona o poticanju razvoja*, NN 63/2007, NN 53/2012; Hrvatska agencija za malo gospodarstvo i investicije)
- '**mikro, mala i srednja poduzeća**' (HGK, veliki broj pravnih stručnjaka i publicista).

Further examples

DIRECTIVE 2013/34/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of **certain types of undertakings**, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC

32013L0034

[ARTICLE 3 – 2013 DIRECTIVE.DOCX](#)

MIXING OF ACRONYMS – TRANSLATED & NON-TRANSLATED

- DECISION No 1/2014 OF THE **ACP-EU** COMMITTEE OF AMBASSADORS of 7 February 2014 appointing the members of the Executive Board of the Centre for the Development of Enterprise (**CDE**)
- ODLUKA br. 1/2014 ODBORA VELEPOSLANIKA **AKP-EU**-a od 7. veljače 2014. o imenovanju članova upravnog odbora Centra za razvoj poduzetništva (**CDE**) → *not translated*

SEMANTICS

- Severe **food deprivation** in the Union coincides with significant food wastage.
- REGULATION (EU) No 223/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 March 2014 on the Fund for European Aid to the Most Deprived
- **Teški nedostaci** hrane u Uniji podudara(!) se sa značajnim rasipanjem hrane. (?*serious shortage*)
- ?? U Uniji postoji **ozbiljna oskudica / nedostupnost** hrane istovremeno sa značajnim rasipanjem hrane.
- [Uredba \(EU\) br. 223/2014 Europskog parlamenta i Vijeća od 11. ožujka 2014. o Fondu europske pomoći za najpotrebitije](#)

SYNTACTICAL OR GRAMMATICAL LEVEL

- **Any** criminal activity on the part of a lawyer **should not be** considered to be legitimate assistance to suspects or accused persons within the framework of this directive.
- **Nikakva** kriminalna aktivnost od strane odvjetnika **ne bi se trebala** smatrati opravdanom pomoći osumnjičenicima ili optuženim osobama u okviru ove Direktive.
- **BILO KAKVA ... NE BI SE SMJELA**

milk-based products – mliječni proizvodi

milk-derived products – proizvodi na bazi mlijeka

zdravstvena ispravnost i sigurnost - ***health and safety compliance***

zdravstvena ispravnost (predmeta) - ***sanitary safety***

financial operation financijski posao

financial operations financijsko poslovanje

POLYSEMY WITHIN THE SAME ACT

- Directive 2009/81/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC

- ESTABLISHMENT

POLYSEMY WITHIN THE SAME ACT - example

- ...contracting entity, through the establishment of a list of tenderers already ...
- ... is subject to compliance with the principles of the Treaty and in particular the free movement of goods, the freedom of establishment and the freedom to provide services ...
- Non-industrial and non-commercial establishments subject to State control and operating in the general interest, public establishments placed under the supervision of local authorities ...

NON-COMPLIANCE

- Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004

on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts

- Art. 19 not in compliance with THE
CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

- Member States may reserve the right to participate in public contract award procedures to sheltered workshops or provide for such contracts to be performed in the context of sheltered employment programmes where most of the employees concerned are **handicapped persons** who, by reason of the nature or the seriousness of their disabilities, cannot carry on occupations under normal conditions.

CONCLUSIONS

Questioning, research and counselling, concerning solving legal and linguistic problems in the field of the European law, is a constant task of both linguists and lawyers.

The examples given, point in that direction conducive to the goal of equal authenticity of all EU legal acts.