

Nuremberg in Madrid

provision of interpreting services
during the Madrid train bomb trial

Juan M. Ortega (Univ. Alicante)
Anne Martin (Univ. Granada)

GRETI Research Group (UGR)

<http://www.ugr.es/~greti/>



- Background information:
 - Regulations for court interpreting
 - Current practices
- March 11th trial:
 - Logistics
 - Interpreters' role

Regulations for court interpreting in Spain

- Legislation guarantees right to interpreter
- No accreditation system or regulations regarding minimum qualifications for court interpreters
- Ultimately, judges can appoint anyone (oath to conduct oneself faithfully)

Current practices in interpreting provision

- Staff interpreters and translators
 - Approx. 100 nation-wide
 - Arabic, English, French, German, Galician, Basque
 - Portuguese, Polish, Rumanian, Italian, Catalan
 - No languages of limited diffusion
- Free-lancers
 - Hired directly by courts
 - No standardized procedure / requirements or qualifications
 - Hired through outsourced companies
 - Qualifications unclear (tender vs. practice)
 - Poor pay
 - Criticism (media)

- Court: National Criminal Court (NCC)
- Languages involved
 - Language of proceedings: Spanish
 - Language of defendants: Spanish, Arabic, Berber
 - Language of witnesses: Spanish, Arabic, Berber, Italian, French
- NCC interpreters
 - 15 translators-interpreters: no Arabic
 - Freelancers:
 - Traditionally hired by NCC
 - No standardised procedure, no requirement re qualifications
 - Since M-11th:
 - Translation: in-house
 - Interpreting: outsourced

- Ministry of Justice and NCC
 - Commissioned Ministry of Foreign Affairs – Office of Interpreting Services
 - Coordinator: MFA Arabic staff interpreter
 - Set up interpreters team
 - Based on defendants language profile
 - Language needs:
 - Classical Arabic, Modern Standard Arabic, North-African dialect, Egyptian dialect, Gulf dialect, Lebanese-Syrian dialect, Tarifit, Tachelhit souss, Tachelhit atlas and Kbailya
 - Candidates:
 - Qualifications and professional experience
 - Security clearance

- Two-fold Team – Arabic and Berber only
 - Liaison interpreters: 17
 - Pre-trial attorney-client communications
 - Available at court house during trial to allow attorney-client communications
 - Conference interpreters: 6
 - Simultaneous interpreting during all hearings for both defendants and court
 - Nationalities of origin: Lebanese, Iraqi, Egyptian, Moroccan
 - Educational level: 5 PhD; 1 B.A.
 - Professional experience: average 14 years

- French and Italian interpreters
 - Hired directly by NCC clerical staff through usual channels
 - No staff
 - Required to do simultaneous interpreting
 - Staff usually perform just consecutive and liaison interpreting

March-11th Trial: logistics

Technical aspects: Spot the difference

March-11th Trial



ICTY



Technical aspects

- booth and interpreting system by Fujitsu
- earphones just for defendants sitting in the dock



- interpreting into Spanish provided through loudspeakers !!!!!
- both videoconference and remote interpreting required

As perceived by legal professionals:

1) Adapting to simultaneous / Metacomments about TI process:

“explíqueme... se lo voy a explicar yo”

[“explain to him.... I’ll do so myself”] (15/02/07)

“no sé si no me entiende a mí o no entiende al traductor”

[“I don’t know whether it’s me he doesn’t understand or the translator”] (15/02/07)

“entiendo que esto acelera el que sea la traducción simultánea, pero a mí me dificulta porque no le... no le... al hablar a la vez yo no le escucho muy bien al traductor...”

[I realise that simultaneous speeds things up but I find it harder because they are speaking at the same time as each other and I can't hear the translator properly"]
(15/02/07)

“por cierto, la traducción es simultánea, no sucesiva, señor intérprete”

[“by the way, the translation is simultaneous, not successive”] (15/02/07)

“los señores intérpretes esta tarde no están muy finos”

[“the interpreters are not very inspired this afternoon”]
(15/02/07)

2) Interpreter as machine:

“use el traductor de árabe”

[“use the Arabic translator”] (12/03/07)

“si ud no entiende algo, automáticamente nos lo indica y le ponemos el sistema de traducción”

[“if there’s anything you don’t understand, you can tell us automatically and we will connect you to the translation system”] (12/03/07)

“Póngale el sistema de traducción”

[“connect him to the translation system”] (16/04/07)

3) Interpreters held responsible for sound:

*“¡Señor traductor! No se oye absolutamente nada.
¡Qué novedad!”*

[“Translator! We can’t hear anything at all, for a change!”] (16/04/07)

“Si va a hablar español mucho mejor, sí, en vista de la calidad del servicio”

[“If he’s going to speak Spanish then all the better, given the quality of the service”] (16/04/07)

As perceived by interpreters: Neutrality and impartiality:
honest spokesperson (Martin and Taibi, 2009)

“siempre procuras mantener cierta distancia profesional [...] para no inclinarte ni hacia un lado ni hacia otro lado, siempre sigues neutral,”
[you try to keep a certain professional distance [...] so as not to move closer to one side or the other, you always remain neutral”]

“todo se desarrolla entre una parte y otra y somos observadores [...]. Entramos en el proceso pero, de forma neutral, entre todo el mundo...” [everything is between the two parties and we are observers [...]. We are involved in the trial but in a neutral way, between all the parties”].

A veces estás a favor, otras estás en contra aunque, claro, tú no muestras nada de eso... [“Sometimes you are in favour, sometimes you are against, although of course you don’t show any of that”]

March-11th Trial: Interpreters role

procuras mantener tu línea, ... no salir de un lado ni del otro pero eso no impide que a veces estés sufriendo, a punto de llorar [...], a punto de gritar de rabia [...], ¿sabes? pero, no puedes, no puedes. Pero esto es la profesionalidad, tienes que controlar todos esos sentimientos y mantener incluso el tono de voz, subrayas lo que quiere uno y otro subrayar, es decir ... cumplir con tu papel de intérprete.

["you try to keep straight ahead... without swaying to one side or the other but that doesn't mean you don't suffer sometimes, or are not about to weep [...] or cry out with rage, you know, but you can't, you can't. But that is professionalism, you have to control all those feelings and even maintain your tone of voice, emphasizing what each party wishes to emphasize, that is to say... fulfilling your role as interpreter"]

Conditioning factors (Martin & Taibi, 2009):

- Awesome responsibility
- Sense of participating in historic event
- Intense emotion
- Inadequate working conditions
- Changing perception of parties

- **Ministry of Justice: press release**
 - “la especial complejidad, las peculiaridades y circunstancias que rodean este proceso, la necesidad de dotarle de todos los medios materiales, humanos, técnicos y económicos que sean precisos para garantizar el rigor y la tutela judicial efectiva constitucionalmente así lo exigían”.
 - “In order to guarantee precision and safeguard the right to a fair trial, it was necessary to provide all possible material, human, technical and economic resources bearing in mind the special complexity, the peculiarities and circumstances that surround this trial.”
 - Don't other cases or defendants deserve the same?

Conclusions

- “Este juicio ha servido de punto de inflexión y es una gran oportunidad para abrir un debate para mejorar el actual sistema de provisión de servicios de traducción e interpretación en las administraciones, especialmente en Justicia e Interior, corrigiendo algunas situaciones que desprestigian la profesión del traductor e intérprete y no benefician en nada o más bien obstaculizan el acceso igualitario a la justicia y demás servicios” (Handi, 2008)
- This trial has served as a turning point and offers a great opportunity to open a debate aimed at improving the present system for the provision of interpreting and translation services in government bodies, especially in the Department of Justice and the Interior, correcting some of the situations which undermine the prestige of the profession of translator and interpreter, and in no way benefit, indeed hinder, equal access to justice and other services. (Handi, 2008)

Thank you!

Juan M. Ortega
juanmiguel.ortega@ua.es

Anne Martin
anne@ugr.es

GRETI Research Group
www.ugr.es/local/greti

