

Framework for a Code of Ethics for Translators and Interpreters in Romani Contexts



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Framework for a Code of Ethics for Translators and Interpreters in Romani Contexts

Whereas many lesser-resourced communities with a long oral tradition historically rely not only on “translation” (written mode) but also notably on “interpretation” (oral mode), and whereas “Romani contexts”, as such, involve translators and interpreters working both transnationally and with their local and regional communities in a variety of Romani language dialects and in the diverse national languages of their respective nation-states, this “Framework Code of Ethics” grounds the deontological principles of professional translation and interpretation in the unique situatedness of translating and interpreting practices in Romani contexts and assumes that all those involved can benefit in some way from their interactions.

Introduction:

- Navigating translation and interpretation within Romani contexts, and more broadly in minority language settings, reveals a set of challenges and concerns that merit consideration. The intricacies involved in bridging linguistic gaps in communication in such environments are manifest in nuanced dimensions of positionality, power dynamics, and discriminatory assumptions that persist and continue to remain unaddressed.
- Translating and interpreting (T&I) in Romani contexts is not only a linguistic endeavour; it is also an engagement with the complexities of societal dynamics, historical perspectives, and cultural subtleties. Undertaking these activities necessitates a heightened awareness of the unique challenges faced by both practitioners and the communities they serve.
- Recognizing the need for a more comprehensive framework that addresses the needs of the Romani contexts, this Framework Code of Ethics aims to establish a set of guidelines for practitioners. Its purpose is twofold: to elevate the quality of linguistic services provided and to foster a more equitable, just, and respectful interaction among requestors and providers of translation and interpretation services and the Romani populations with whom they engage.
- By embracing these ethical principles, translators and interpreters not only commit to providing accurate and appropriately nuanced services but also to actively contributing to the effort to reduce existing injustices rooted in historical barriers. The Framework Code of Ethics encourages T&I practitioners to adopt a more

reflective approach to the dynamics of power and positionality and urges them to engage in a continual process of self-evaluation and correction that will enhance their cultural accountability and promote inclusivity.

- Ultimately, the Framework Code of Ethics seeks to pave the way for a transformative practice of translation and interpretation within Romani contexts, acknowledging its unique challenges and striving towards a more just, understanding, and mutually respectful linguistic landscape.

1. Considerations for Translation and Interpretation in Romani Contexts

a. Contextualizing language

- **Historical Roots**

- Romani peoples* are a global diaspora with a common historical origin (India) who are diverse on account of different historical circumstances. Simply pursuing what is perceived to be a Romani lifestyle or “cultural habit” does not make one Roma. It is not a choice. It is an inherent ethnicity.
- The history of Roma is encapsulated and traceable within a linguistic tapestry of interwoven multilingual threads that make up the Romani language. These strands are of Indian, Persian, Armenian, Greek, and Slavic origins, with many adoptions from other languages in contact. Many words of common origin among the Romani dialects are potentially a rich pool of lexical resources for translators and interpreters to use.
- Linguistic exploration not only traces Roma origins. It also highlights the language’s evolution and survival as a symbol of resistance against historically documented persecution and oppression.

- **Language Realities**

- **Diversity within the Language.** The Romani language exhibits significant diversity, with numerous dialects reflecting regional and local influences. This diversity within the language adds a layer of complexity to processes of handling terminology and lexical choices for translation. Recognizing and respecting this diversity is essential for producing translations that capture the nuances and richness of the language in its various forms.

* The term “Romani peoples” used throughout the text refers to all the diverse Romani groups, including Roma, Sinti, Kale, Romanichels, Boyash/Rudari, Rom.

- **Standardized or Common Language?** Although a variety of initiatives have materialized, there is still no internationally recognized or formalized standard Romani language, although certain dialects are more widely spoken than others.
- **Biases Impacting Language Translation**
 - “Language is a powerful tool for constructing realities and perceptions” (Barz et al. 2020[†]). It carries not only the traces of its historical paths but also the embellishments and scars born of interactions with its speakers and others over time.
 - Inherited and internalized presumptions about and among different Romani peoples can seep into the vocabulary and expressions of languages and their users over the course of many centuries, with harmful repercussions if they are unsubstantiated and left unaddressed.
 - Commonly held perceptions and biases against Romani peoples can significantly impact translation and interpretation in Romani contexts – be it through a Romani or non-Romani language. Whether by translators, interpreters, or bilingual mediators or researchers, the cognitive impact of negative stereotypes can lead to or augment certain biases during translation, thereby creating or perpetuating misrepresentations and reinforcing harmful stereotypes.

b. Contextualizing critical non-linguistic factors

- **Power Dynamics**
 - We recognize that because translation and interpretation are embedded within relations of power that exist among social and individual actors, they are not neutral acts. Understanding and navigating these dynamics are crucial for ensuring fair and just representations of minority language groups. This is true not only for translators and interpreters providing Romani language services in communities and professionally but also for researchers integrating Romani T&I in their academic projects. The more vulnerable the participants, the greater the obligation of professional and research bodies and individuals to ensure protective measures.

[†] Barz, Kaya, Horvath, Reinhardt, Abed-Ali (2020): Studie zum Empowerment für Sinti*ze und Rom*nja, Kapitel 2 "Ethische Leitlinien des Forschungsteams", S.18-21. Universität Heidelberg [Barz, Kaya, Horvath, Reinhardt, Abed-Ali (2020): Study on the Empowerment of Sinti*ze und Rom*nja, Ch.2 "Ethical Guidelines of the Research Team", p.18-21.

- **Socio-Economic Context**

- Translation for minority languages should be situated within their socio-economic contexts, acknowledging the broader implications for human rights. Language serves as a tool for empowerment, and translation practices should actively contribute to dismantling barriers faced by linguistic minorities.

- **Equity and Justice**

- Romani language translation raises questions about equity and justice. Translators and interpreters have the power to perpetuate misrepresentation and stereotyping or to discontinue them by presenting Romani perspectives accurately. Recognizing the power dynamics inherent in translation is essential for fostering a more equitable representation of the Romani language and culture.
- “Justice refers to the obligation to treat people fairly and equitably. Fairness entails treating all people with equal respect and concern. Equity requires distributing the benefits and burdens of research participation in such a way that no segment of the population is unduly burdened by the harms of research or denied the benefits of the knowledge generated from it.” (Tri-Council Canadian Research Ethics 2022, 9)[‡]

In conclusion, Romani language translation is a multifaceted endeavour that requires awareness and sensitivity to historical context, an understanding of established and ongoing power dynamics, and a commitment to promoting equity and justice through translation.

2. Terms and Concepts for Translator and Interpreter Ethics in Romani Contexts

a. Adaptability

- The ability to adjust according to context and circumstances. In the broader T&I context, adaptability involves adjusting linguistically and culturally in order to accurately transmit words (spoken or written) and culturally nuanced non-verbal cues so that fidelity to the original message can be

[‡] <https://ethics.gc.ca/eng/documents/tcps2-2022-en.pdf>

maintained without subjective interpretations. It extends as well to the linguistic and cultural challenges faced when translating proverbs, idiomatic expressions, specialized terms, or words without direct equivalents in the target language. While translators can consult colleagues and resources for explanations, interpreters can seek direct clarification from the speakers. It is crucial that interpreters not independently explain or make subjective interpretations on behalf of the individuals they are assisting in the communication process. However, if interventions are necessary, interpreters should strive to promote understanding and autonomy of the person needing the translation by offering contextual explanations.

- In Romani/minority language contexts:
 - When tasked with interpreting for Roma individuals, a Romani speaker, even if they don't share the exact dialect with the client, may successfully translate if mutual comprehension exists and if the translator is cognizant of potential language variations employed by the client (e.g., "*des duma*" vs. "*keres svato*").
 - Given that *Romanes* [Romani] is influenced by national languages, it is imperative for translators and interpreters to possess an understanding of the national languages too. For instance, a Romanian Roma conversant in Lovari may incorporate Romanian words, and an interpreter from Serbia proficient in Lovari might be capable of translating but should be mindful of the words borrowed from Romanian.
 - In the socio-economic context, many Roma may lack familiarity with certain terms related to professions such as psychology or the legal system. In such cases, the translator must demonstrate awareness and sensitivity, finding alternative ways to convey the message without passing judgment on the family's situation or contributing to any feelings of inferiority.
 - Furthermore, the adaptability required for Romani translation extends to linguistic variations within the Roma community, encompassing different dialects, words borrowed from national languages, and the need to adjust language choices to the educational and linguistic levels of the individuals involved. The role of both the translator and the interpreter is not only to convey words but to navigate and mediate the rich tapestry of linguistic and cultural diversity, ensuring effective and respectful communication.

b. Impartiality

- Impartiality is the principle within the ethical framework of T&I emphasizing the commitment to faithfully render the source message without letting personal views compromise the quality of their work. Interpreters and translators uphold this principle by refraining from conduct that may give the appearance of bias, actively avoiding conveying personal sentiments through gestures, tone of voice, or word choices. They are acutely mindful of their non-verbal expressions and body language, diligently avoiding emotional displays such as surprise, shock, or disgust. This proactive approach is crucial to prevent any perception by parties involved that the interpreter or translator has not remained neutral. Regardless of discussions conflicting with their personal morals or ethics, interpreters and translators remain committed to the impartial interpretation or translation of the source message. Prior to accepting an assignment, interpreters and translators are encouraged to assess their ability to remain impartial regarding the subject matter or individuals involved. If they anticipate challenges in maintaining impartiality, it is advisable to decline the assignment.
- In Romani/minority language contexts:
 - In Romani/minority language contexts, maintaining impartiality is crucial for translators and interpreters tasked with translating/interpreting. By remaining impartial, translators and interpreters uphold the integrity of the communication process and contribute to the protection of individuals' rights. Their commitment to impartiality helps prevent the introduction of personal biases or interpretations that may distort the original message, thereby ensuring that all parties involved have equal access to information and can effectively communicate their needs, concerns, and rights.
 - A pertinent illustration of the effects of not respecting principles of impartiality arises from multiple instances when translators and interpreters have inaccurately rendered the narratives of Roma asylum claimants in immigration proceedings. These cases led to notable discrepancies in their testimonies, underscoring the impact of introducing judgment into the translation process and the resultant inaccuracies.
 - Biases in translation and interpretation not only hinder effective communication but also carry profound consequences for the experiences and rights of marginalized populations.

- The interpreter's responsibility goes beyond mere translation; it is essential to convey messages without fostering feelings of inferiority. In educational settings, for example, the biases exhibited by interpreters during meetings with school staff have resulted in discomfort for Roma families, impeding their access to crucial information about the well-being of their children. The interpreter's role is pivotal in navigating these challenges and emphasizing the importance of impartiality to ensure fair treatment and equitable access to essential services.

c. Accuracy

- Accuracy is the state of being true, correct, or exact, representing the achievement of freedom from error or defect. It is the commitment to ensuring the faithful preservation of the meaning and tone inherent in the messages or texts that translators and interpreters translate or interpret.
- In Romani/minority language contexts: The commitment to accuracy is fundamental to the integrity and effectiveness of the work of language professionals. The absence of errors is not only a hallmark of quality but also entails respecting the interpreting process without passing judgment.
- Accuracy in Romani/minority language contexts requires a nuanced understanding of the structural barriers that can put constraints on access to services, in particular for those tending to face challenges due to socio-economic circumstances. For instance, individuals with lower economic and educational statuses may grapple with limited vocabulary, hindering their ability to express themselves with exactness. Language professionals must be attuned to these nuances, recognizing that precise interpretation extends beyond linguistic fidelity to encompass an awareness of the duress some clients may be under due to socio-economic factors.

d. Social Responsibility

- Social Responsibility is the act of recognizing the extensive implications of language and communication in interactions among individuals, communities, and society at large. In the specific realm of T&I for minority languages, social responsibility denotes the ethical commitment and duty of language professionals to prevent any adverse effects on the individuals they serve. This concept surpasses the conventional idea of simply "giving voice" to someone and underscores facilitating both "voice" and "agency". Achieving social responsibility in translation and interpreting for minority languages necessitates the maintenance of high standards to mitigate the risk of miscommunication or misrepresentation that could detrimentally affect speakers of a minority language.

- In Romani/minority language contexts: Interpreters and translators in educational settings may, for instance, be tasked with translating psychological evaluations for children. It is imperative for these language professionals to be cognizant of the socio-economic realities within marginalized groups. For instance, disadvantaged populations may lack access to certain information, such as postal codes, or they may encounter barriers to education due to discrimination. In such instances, interpreters should convey to psychologists that certain questions may yield biased results, particularly when working with Roma children who may be unable to provide answers when the structural barriers they experience do not allow for a suitable response. Documented cases have highlighted instances of misdiagnosis of Roma children, leading to their inadequate placement in “special schools”, thus underscoring the critical importance of considering the broader socio-economic context during psychological assessments.

e. Continuous Professional Development

- Translators and interpreters are committed to continual professional growth, engaging in ongoing learning to keep pace with evolving language nuances, cultural shifts, and advancements in translation and interpretation techniques. This dedication ensures their proficiency and effectiveness in delivering high-quality services.
- In Romani/minority language contexts, this commitment extends to staying informed about the evolution of Romani language/dialects, understanding diverse socio-economic realities, and monitoring the human rights situation.
- Awareness of Romani language/dialect evolution: Translators and interpreters who specialize in Romani/minority languages should keep abreast of the changing and evolving dialects that are in use. This includes understanding variations in dialects and socio-linguistic features to accurately convey messages within diverse Romani-speaking communities.
- Understanding socio-economic realities and human rights situations: Translators and interpreters in Romani/minority contexts should stay informed about the socio-economic realities and human rights situations affecting Romani communities. This knowledge enhances their ability to provide culturally sensitive and contextually appropriate translation and interpretation services.

f. Confidentiality

- Interpreters and translators shall uphold the highest level of discretion in all matters related to their roles. They shall refrain from disclosing, at any time, to the media, institutions, individuals, governmental or non-governmental

organizations, or any external authority, any information that has not been made public and that has come to their knowledge during the course of their duties.

- In Romani/minority language contexts: Confidentiality plays a vital role in building trust between translators / interpreters and the communities they serve. Confidentiality is fundamental in these contexts as it not only protects the privacy and dignity of individuals and families but also fosters trust and respect within the community. Interpreters and translators must adhere to strict confidentiality protocols to uphold the rights and well-being of all parties involved.
 - Interpreters and translators are duty-bound to safeguard any confidential information entrusted to them or that has become known to them in the performance of their functions. This includes information that could potentially jeopardize the safety or well-being of individuals or families, especially in sensitive contexts such as immigration cases. For instance, in cases where Romani families or individuals are stateless or without status, their access to essential services like health care and education may be very limited as it often depends on citizenship. In such cases, interpreters hold critical information that must be handled with care and discretion, unless explicit consent is provided by the family to share the information with the relevant institution.
 - In educational settings, for example, Romani families may harbour concerns that sensitive information, such as psychological evaluations or behavioural issues of their children, could be used against them. Interpreters must reassure these families that information shared will be kept confidential to foster an environment of trust and respect.
 - Furthermore, in accessing services such as health care or social welfare, Romani individuals may fear that interpreters could perpetuate stereotypes about their community. It is imperative for interpreters to uphold the principles of confidentiality to mitigate such concerns and ensure equitable access to services without prejudice or discrimination.

g. Cultural Accountability

- Cultural accountability is the dedicated commitment of translators and interpreters to apply their expertise to skilfully navigating the cultural frames of reference of the individuals they serve. This skill requires a profound understanding of the cultural nuances that shape perceptions and expectations both socially and individually. Culturally competent

practitioners go beyond merely recognizing the cultural reference points of their clients; they demonstrate adeptness in ensuring that this knowledge does not unduly influence their professional duties, thus ensuring effective communication. This involves a delicate balance where practitioners leverage their cultural insight to enhance understanding without allowing it to compromise the impartiality and accuracy of their language services.

h. Fair Compensation

- **Fair Compensation:** Entails remuneration that acknowledges the time, resources, and research required for translating and interpreting. It reflects the skill, effort, and expertise necessary for effective communication, including payment for specialized knowledge and qualifications. Transparent agreements on rates and terms ensure professionalism and sustainability in the profession, recognizing the invaluable role of translators and interpreters in facilitating cross-cultural communication.
- **In Romani/minority language contexts:** Fluent Romani speakers who are proficient in national languages, or the children of Romani speakers fluent in a national language, often serve as informal interpreters asked to assist individuals needing to access basic services like health care and education, or to exercise their rights such as applying for citizenship. These informal interpreters are typically uncompensated for their services. Despite legal obligations in sectors like health care to provide translation or interpreting services for patients, institutions often fail to do so in situations that involve Romani/minority languages, due to a shortage of competent interpreters which ultimately leaves patients without the means to access information crucial for an understanding of their health.
- There are occasions when Romani speakers may also be asked to act as supporters for hired interpreters or translators, in order to facilitate a more nuanced understanding of situations involving access to services. Despite significantly aiding in the work of those translators or interpreters who are compensated, Romani speakers or informal translators commonly do not receive compensation themselves. This disparity highlights a systemic issue where those providing essential language support, particularly for minority languages, are undervalued and unrecognized for their contributions.

i. Respect for Human Rights / Non-Discrimination

- Upholding the fundamental principles of non-discrimination in the provision of services. This entails treating all service users with dignity and respect, acknowledging their entitlement to fair treatment without prejudice. Interpreters and translators should refrain from needlessly exploiting the

vulnerability of those who rely on their services for essential resources. Moreover, language professionals should restrain from exhibiting any type of discriminatory practice that could be perceived as being based on personal attributes, e.g., race, class, sexual orientation, religion, or ability to pay for services.

- In Romani/minority language contexts: Ensuring that T&I services are carried out with dignity and without discriminatory overtones upholds the principle of respecting individuals on the basis of their human rights, considering that they are facing severe obstacles due to historical and systemic marginalization.
- Language has historically been wielded as a discriminatory tool against Romani populations. For instance, documents written in foreign languages that Roma individuals could not understand have been used to coerce Romani women into agreeing to forced sterilizations, a grave violation of their reproductive rights.
- Furthermore, within health care settings, there are reported instances of Romani speakers having undergone medical procedures without their knowledge or consent due to not having understood the language in which the information was communicated to them. This underscores the critical need to provide access to vital information through proper translation or interpreting services. Romani individuals have a legal and human right to information, to healthcare and to be translated (for) accurately in order to be able to make informed decisions critical to their own health and well-being.

j. Trust

- Trust in the context of interpretation and translation acknowledges a recognition of the power dynamics inherent in language and of the role of interpreters and translators. Interpreters in particular wield a certain degree of discretionary power that underlies the activities and coordination of all participants in the communication contexts.
- In Romani/minority language contexts: Trust is paramount as language serves as the critical gateway to essential services such as health care. However, documented cases such as those of forced sterilization due to mistranslation highlight the intrinsic need for trust in interpreters and translators. Romani individuals must place their trust in interpreters to accurately convey their needs and concerns, knowing full well that any misinterpretation could have severe consequences.

- Trust also extends to researcher-participant relationships. Translators and interpreters who participate in research projects must trust researchers to handle their roles with care and to consider factors such as language combinations, gender, and nationality, as well as confidentiality, rightful compensation, and anonymity when necessary.
- Overall, trust in T&I services within Romani contexts is fundamental. It not only results in a practice of dignity and recognition of individual Roma rights. It underpins and mediates the power of translators and interpreters to act responsibly and ethically, thereby fostering a relationship of mutual respect and understanding between all parties involved.

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