



Multilingual justice in the making

What makes the topic of International Criminal Law so special for interpreters? The Hague Legal Symposium was a chance to find out.

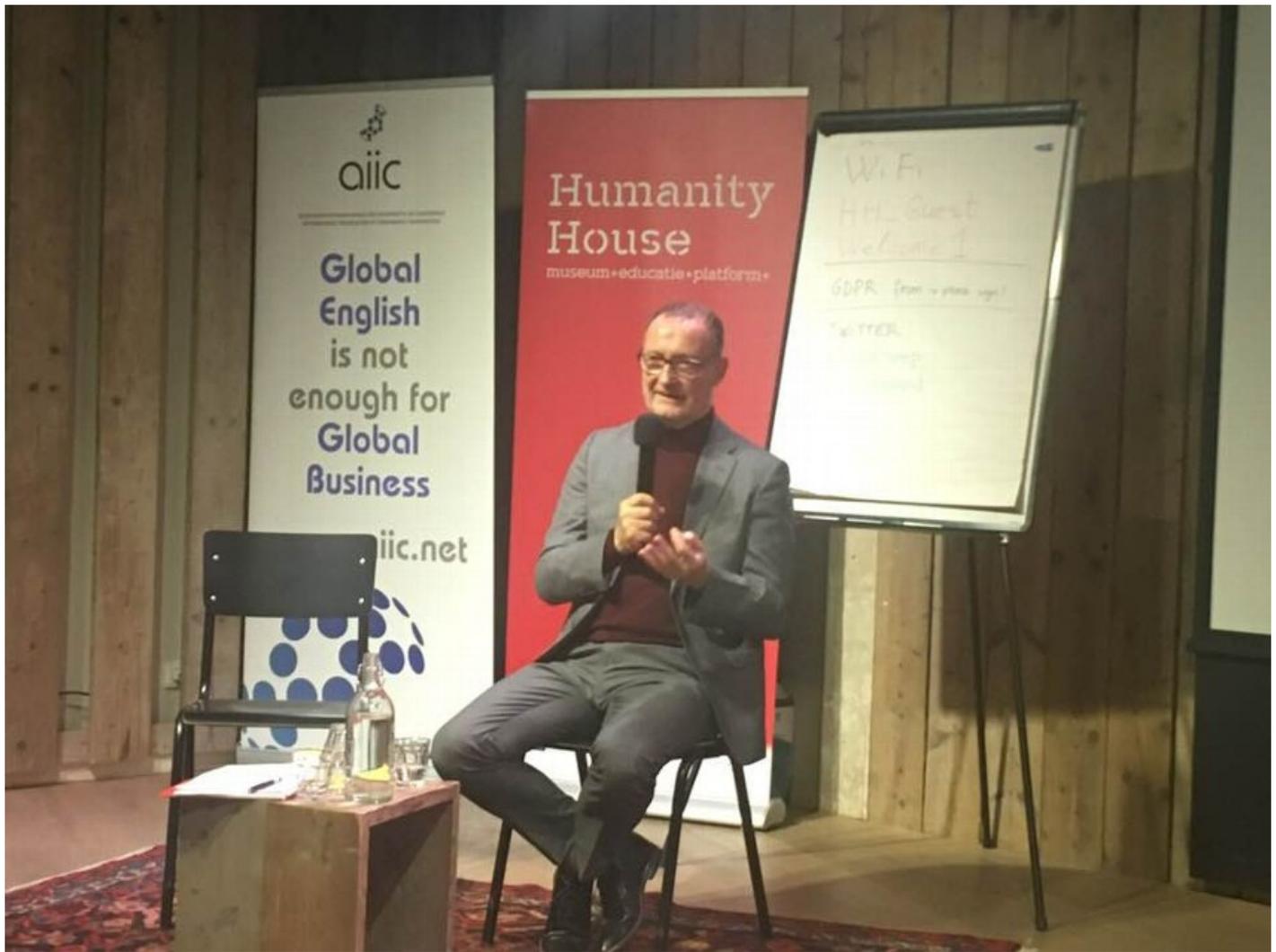
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Since The Hague Legal Symposium premiered in 2006, many interpreters and translators from the region and beyond have enjoyed gathering to learn from legal professionals eager to share their experiences and curious to learn about our profession, and the 11th edition that took place on 9 November 2019 was no exception.

Insights & dialogue

Why have these symposiums been so popular? Because they are a perfect opportunity for exploring international law and legal practice and engaging in dialogue to promote understanding between lawyers and linguists. Such insights are crucial for reinforcing the system of multilingual justice initiated in the beginning of the twentieth century, when the Permanent Court of Arbitration was established in The Hague to settle international disputes. However, multilingual justice became visible only with the introduction of simultaneous interpreting and the landmark criminal Nuremberg Tribunal and the subsequent international tribunals from the 1990s onwards.

The subject matter of International Criminal Law (ICL) is particularly captivating, because it deals with difficult current issues, such as how to try cases of alleged international terrorism or crimes against humanity or genocide. A few weeks after our symposium, all eyes were on the International Court of Justice during the hearings in which Myanmar's adherence to the Genocide Convention was challenged. How courts address such cases is fascinating, because it reflects relentless efforts to improve protection of human rights. ICL is extremely rich and evolves continuously, seeking to adapt and coin new concepts to meet current challenges. As we heard during the Symposium this year, the scope could be expanded to include environmental rights. The sense that as interpreters we are witnesses to justice in the making and that we have a very useful role in promoting multilingual justice is particularly rewarding.



Complex proceedings

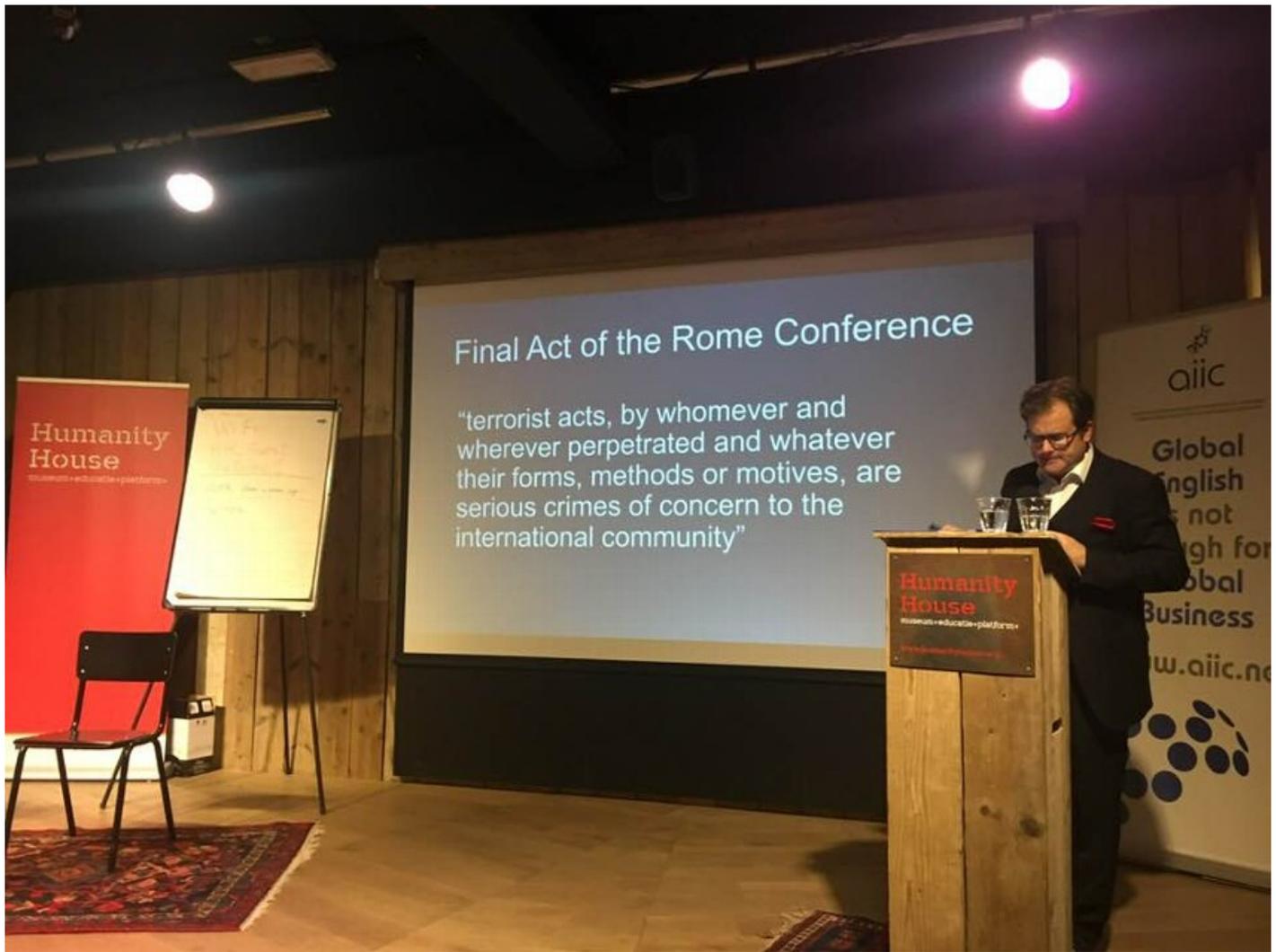
Understandably, the legal concepts underpinning Court proceedings are complex. As with any technical topic, preparation and prior knowledge of the subject matter are key conditions to interpret discourse accurately. Proper training is indispensable. Yet, as professional conference interpreters, we know that we do not need to be experts in the technical field at hand to interpret well: few of us are trained lawyers or scientists. Still, the more familiar we become with technical concepts, the better we can convey the speaker's message in the target language. Legal arguments are somewhat different from other technical subjects, in that word choice matters more in a court of law: every utterance may be subject to scrutiny in the courtroom. Although we always convey meaning, we have less latitude to ensure accurate rendition than in a conference (and still less when working into a B language). The multilingual verbatim transcript of proceedings in many international Courts gives us a hybrid role: we help parties understand the other languages spoken in real-time, but our words are recorded for posterity.

Interpreters and translators registered for our Symposium to learn about concepts underpinning new developments in International Criminal Law and to hear the perspective from expert legal professionals. Often, we do not understand why lawyers proceed in a certain way, and parties in the Courtroom do not realize why providing interpreters with speaking notes or background material in advance is crucial for good interpretation.



Comparative insights

This edition of the Legal Symposium featured a professional moderator, **Maja Groff**, an international lawyer working as Senior Legal Officer at The Hague Conference on Private International Law, who added value to the interactions and ensured welcome clarifications. The first speaker, International Criminal Court (ICC) **Judge Bertram Schmitt** and Council Member of the Nuremberg Principles Academy, introduced participants to challenges for judges arising from the blended international system that draws from Common Law and Civil Law, as they impact the way evidence is presented and examined. In his lively style, Judge Schmitt drew on his experience in German courts and his latitude in managing court proceedings there, comparing his role then with his present-day tasks at the ICC. The next speaker, **Dr Dov Jacobs**, a law professor in Leiden and a member of a Defence team at the ICC, spoke on the recent inclusion of the crime of aggression at the ICC, noting the difficulties in bringing a case of aggression due to the fact that the definition is too complex. Stressing the need to understand other systems of law, Dr Jacobs drew on his Anglo-French heritage to give comparative insights into hybrid tribunals established under international criminal law.



Exploring, adapting and innovating

In the afternoon **Iain Edwards**, a London barrister currently working as Defence Counsel at the Residual Mechanism known as IRMCT (formerly the ICTY), with previous experience at the ICTR (Rwanda) and at the STL (Special Tribunal for Lebanon), highlighted the unique definition of international terrorism used at the STL, the first internationalized tribunal to try terrorism as a standalone crime. He explained how the UN Definition of terrorism funding could be a useful approach to coin a truly international definition of terrorism. **Maud Sarliève**, an international lawyer with experience at the ICTR, ECCC (Cambodia) and STL, presented avenues available to include ecocide as an international crime, since the environment cannot speak for itself, and the current purpose of the ICC Rome Statute is to protect human beings, not the environment.

Spontaneous exchanges are rare

The 9 November Legal Symposium was a rare opportunity for interpreters to connect with a judge and several lawyers, and to discuss topics they cannot often broach together. To safeguard the independence of legal processes, Chambers and parties do not often have such open exchanges. The discussion Judge Schmitt and Dov Jacobs embarked on about different approaches in civil and common law in witness examination was truly fascinating.



Mutual respect, giving your very best

All speakers stressed that they respect the work of interpreters, and that they depend on us. This tribute motivates us to do our utmost to serve them! In addition to being a continuous professional development opportunity for interpreters, this Legal Symposium was also a PR exercise for AIIC Netherlands. By reaching out to the speakers we interpret and inviting them to engage in lively debate, we raise awareness of our profession and of the need for interpreters to understand the subject matter. Perhaps continuing this dialogue between lawyers and interpreters will also be conducive to achieving multilingual justice.



By Sylvie Nossereau, regional chair and organizer of AIC Netherlands 11th Legal Symposium on 9 November 2019, and Lee Mitzman, member of AIC Netherlands. The organizing committee comprised Claire Parment, Zouchra Kasimova, Levan Totosashvili and Sylvie Nossereau

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