

Conceptual Equivalence in Multilingual EU Terminology – Challenges and Possible Solutions

Konceptualusis lygiavertiškumas daugiakalbėje
ES terminijoje: iššūkiai ir galimi sprendimai

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ABSTRACT

This article examines the implications of concept orientation for translation-oriented multilingual terminology work in the European Union context. Terms and concepts in EU texts can be divided into three groups based on their universality or specificity to a particular conceptual system: universal, EU-specific, and country-specific. These terms often appear together in EU texts, and translators must be aware of their nature to find the best equivalent in the target language. The paper outlines strategies for translators dealing with different types of terms. It also discusses the challenges of translating universal terms with country-specific dimensions. It highlights how a lack of equivalence information and confusion between universal and country-specific terms can compromise terminology entries. Due to the diversity of legal systems in the 27 Member States, the lack of an equivalent term in the target language requires translators to choose between inexact or partial equivalents. It is therefore crucial to indicate in a terminological database the absence of conceptually equivalent terms in the target language. To assist translators, IATE, the EU's concept-oriented terminology database, provides information on the origin of terms and the degree of equivalence between concepts expressed by specific terms in different languages. However, this information is not always systematic. It can often only be obtained after thoroughly examining several data fields. It is argued that systematically indicating the EU-, or country-specific origin of the concept represented by the database entry, together with the introduction of a new optional `TRANSFER COMMENT` field to clarify the degree of equivalence between terms, as seen in other multilingual termbases,

1 Disclaimer: The views expressed are solely those of the writer and may not be regarded as stating an official position of the Council of the EU.

would greatly benefit translators by providing a clearer understanding of equivalence relationships and helping them to make informed choices when selecting target language terms.

KEYWORDS: EU terminology, translation-oriented terminology, multilingual terminology, concept-orientation, conceptual equivalence, degree of equivalence, equivalence field.

ANOTACIJA

Straipsnyje nagrinėjama orientavimosi į sąvokas reikšmė į vertimą orientuotam daugiakalbiam terminologijos darbui Europos Sąjungos kontekste. ES tekstų terminai ir sąvokos gali būti suskirstyti į tris grupes, atsižvelgiant į jų universalumą ar specifiškumą tam tikroje sąvokų sistemoje: 1) universalūs, 2) būdingi ES ir 3) būdingi konkrečiai šaliai. Šie terminai ES tekstuose dažnai figūruoja kartu, o vertėjai turi suvokti jų pobūdį, kad rastų geriausią vertimo kalbos atitikmenį. Straipsnyje pateikiamos strategijos vertėjams, dirbantiems su skirtingų tipų terminais. Taip pat aptariami iššūkiai, kylantys verčiant universalius terminus, turinčius konkrečiai šaliai būdingų aspektų, parodoma, kaip informacijos apie lygiavertiškumą trūkumas ir universalių bei konkrečiai šaliai būdingų terminų painiojimas gali susilpninti terminų įrašus. Nagrinėjami specifinių ES terminų vertimo į nacionalinės teisės kalbą iššūkiai konkrečiai 27 valstybėse narėse, kurių teisės sistemos skiriasi. Dėl valstybių narių teisės sistemų įvairovės, nesant atitinkamo termino vertimo kalboje, vertėjai turi rinktis netikslus ar dalinius atitikmenis. Todėl labai svarbu terminų bazėje nurodyti, kad vertimo kalboje nėra konceptualiai lygiaverčių terminų. Siekiant padėti vertėjams, IATE, į sąvokas orientuotoje ES terminologijos duomenų bazėje, pateikiama informacija apie terminų kilmę ir sąvokų, įvardytų konkrečiais skirtingų kalbų terminais, lygiavertiškumo laipsnį. Tačiau ši informacija ne visada yra sisteminga. Dažnai ją galima gauti tik nuodugniai išnagrinėjus kelis duomenų laukus. Straipsnyje teigiama, kad sąvokos kilmės nurodymas duomenų bazės įrašė kaip ES ar konkrečios šalies ir naujo neprivalomo lauko PERKĖLIMO KOMENTARAS įvedimas, siekiant paaiškinti terminų lygiavertiškumo laipsnį, kaip daroma kitose daugiakalbėse terminų bazėse, būtų labai naudingas vertėjams, nes jie geriau suprastų lygiavertiškumo santykius ir galėtų priimti pagrįstus sprendimus parinkdami vertimo kalbos terminus.

ESMINIAI ŽODŽIAI: ES terminija, į vertimą orientuota terminija, daugiakalbė terminija, orientavimasis į sąvokas, konceptualusis lygiavertiškumas, lygiavertiškumo laipsnis, lygiavertiškumo laukas.

1. THE PRINCIPLE OF CONCEPT-ORIENTATION AND TERMINOLOGICAL EQUIVALENCE

Concept analysis is crucial in multilingual terminology because terminology focuses on concepts (onomasiological approach)² rather than on words (semasiological or lexicographic approach). Indeed, a comparative conceptual analysis must first be carried out to find an equivalent in the target language (TL) whenever terminology work involves more than one language, as is the case in the EU context. Precisely because of the concept-oriented nature of terminology, terms are strictly speaking not translated from one language to another. Instead, the equivalent TL term is selected or created based on conceptual analysis. As each culture conceptualises the world from its point of view, concepts are often not identical across languages. ISO 860:2007 (clause 3.5) defines ‘equivalence’ as a “*relation between designations in different languages representing the same concept*”. ISO 25964-2:2013 recognises that terms are often not fully equivalent and it classifies degrees of equivalence as exact, inexact or near-equivalence, partial and non-equivalent. It also acknowledges that equivalence situations usually cannot be described in terms of clear-cut categories, but rather in terms of “*points along the spectrum of possibilities that lie between the extremes of exact equivalence and absence of equivalence*” (ISO 25964-2:2013, 51). Indeed, the cases along this continuum are the most difficult. In section 5, we will look at different equivalence scenarios with reference to the categories of equivalence mentioned above.

2. CONCEPTUAL AUTONOMY OF EU TERMINOLOGY

Regulation No 1/1958 of the EEC Council³ establishes the official and working languages of the Union and requires the multilingual production of documents, resulting in ‘linguistic versions’ that are equally authentic. Consequently, multilingual, text-based, collaborative terminology work is integral to translation. Yet, the existence of an independent EU concept system makes the translation or ‘multilingual drafting’ of EU texts truly

2 ISO standard 1087:2019 defines a ‘term’ as “*a designation that represents a general concept by linguistic means*”. A ‘general concept’ is further defined as a “*concept that corresponds to a potentially unlimited number of (perceivable or conceivable) objects which form a group by reason of shared properties*”.

3 Consolidated version of the Regulation No 1/1958 of the EEC Council determining the languages to be used by the European Economic Community. Available at: [http://data.europa.eu/eli/reg/1958/1\(1\)/2013-07-01](http://data.europa.eu/eli/reg/1958/1(1)/2013-07-01).

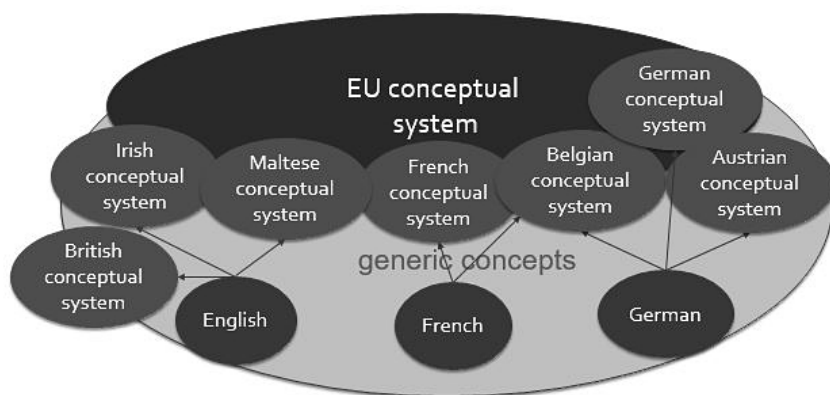


Figure 1. The coexistence of several concept systems in selected languages, based on Fischer (2010a: 165)

unique. The Court of Justice recognised the autonomy of EU concepts in Case 283/81, stating that “community law uses terminology which is peculiar to it”, and that “legal concepts do not necessarily have the same meaning in community law and in the law of the various Member States”. The *Joint practical guide of the European Parliament, the Council and the Commission for persons involved in the drafting of European Union legislation* (JPG) underlines this autonomy in the drafting of EU legislation, advising that “concepts or terminology specific to any one national legal system are to be used with care” (section 5) and that “terms which are too closely linked to a particular national legal system should be avoided” (section 5.3.2). The aim is to avoid conceptual differences by choosing transparent terms not linked to a specific legal system. This cultural neutralisation (Biel, Doczekalska 2020: 187) can be challenging, as most terms originate from the legal systems of EU Member States (Fischer 2010b: 26; Stefaniak 2013: 64). On the other hand, new EU concepts can influence national legal language, demonstrating the interaction between EU and national legal languages. Many authors (Klaudy 2007: 260; Rádai-Kovács 2009: 88; Fischer 2010a: 160; Schäffner, Adab 2001; Somssich *et alii* 2010: 66; Bergomi 2023) emphasise the hybrid nature of EU law, blending universal, EU-specific, and country-specific concepts and terms. Based on Fischer (2010a: 165), figure 1 illustrates that official languages describe the EU and Member States’ concept systems. Intra-lingual comparative terminology work is therefore key to limit interference between national and EU concepts. This is especially important for languages that are official in multiple Member States.

Given the autonomy of EU concepts, any term may become EU-specific when defined in an EU legislative act. For example, the term ‘primary energy consumption’ is defined in Directive 2012/27/EU on energy efficiency as “*gross consumption of primary energy for the purpose of providing secondary energy to consumers*”, making it an EU-specific concept with an EU origin in IATE (entry 3549696). Meanwhile, a broader universal term that includes energy used for non-energy purposes is ‘primary energy consumption’ (IATE 48366). Likewise, the term ‘frontier worker’ has two entries in IATE: the universal term ‘frontier worker’ (IATE 3550291), i.e. “*a person who works in one State but resides in a neighbouring State, to which he or she returns on a regular basis*” and ‘frontier worker’ (IATE 865809), as EU-specific term, defined in Regulation (EC) No 883/2004 as “*any person pursuing an activity as an employed or self-employed person in a Member State and who resides in another Member State to which he or she returns as a rule daily or at least once a week*”.

In many cases, there is not only a conceptual but also a linguistic difference between the corresponding terms (see the Spanish term ‘trabajador transfronterizo’ in entry 3550291 vs. ‘trabajador fronterizo’ in entry 865809). It is therefore the job of the translator to correctly identify the relevant terminology entry, which requires an understanding of the conceptual framework and the origin of the term.

2.1. The Co-occurrence of Terms Belonging to Different Concept Systems

Country-specific reports and recommendations are typical examples of hybrid EU texts in which universal (‘employment rate’, ‘unemployment’, ‘labour market’, etc.), EU-specific (‘Social Scoreboard’, ‘European Pillar of Social Rights’) and country-specific terms (‘Public Works Scheme’) co-occur:

*“Hungary performs relatively well on some indicators of the **Social Scoreboard** supporting the **European Pillar of Social Rights**, but significant challenges remain. The **employment rate** is slightly above the EU average and **unemployment** well below. Inequality is lower than in many other Member States, although it is increasing. Gaps in employment and pay between genders and skills groups remain wide compared with the rest of the EU. **Labour market** outcomes for women and vulnerable groups, including Roma and people with disabilities, are weak. The **Public Works Scheme** has decreased markedly, but is still oversized and not effective in leading participants to jobs in the primary labour market.”*

Source: COMMISSION STAFF WORKING DOCUMENT: Country Report Hungary 2020, SWD/2020/516 final.

We categorise these terms according to their conceptual specificity or universality as follows:⁴

- a) Universal terms are domain-specific but not bound to any community or organisation (Fischer 2010a: 67). Examples include terms covering broad local realities, such as ‘teacher’, ‘tribunal’ or ‘local authority’. Some derive from international law, such as the ‘universality principle’, while others, such as the concept of ‘sustainable development’ lack internationally accepted definitions (Somssich *et alii* 2010: 112).
- b) Concerning EU-specific concepts, there are two approaches (Rádai-Kovács 2009: 85–90; Fischer 2010a: 155–160; Fischer 2010b: 28). In the narrower sense, only terms that originate in the basic legal and institutional framework of the European Union can be considered EU terms. The broader approach includes all terms that appear in EU texts. A balanced approach (Biel, Doczekalska 2020: 185–189) considers ‘EU supranational terms’ a special category of legal terminology with characteristics such as autonomy, multilingualism and continuity. They include terms created by the EU, such as the ‘pandemic emergency purchase programme’ (IATE 3589188) and existing universal terms redefined by the EU for its purposes, such as ‘removal’ (IATE 778629) as defined in Directive No 2008/115/EC vs. ‘removal’ as a universal term (IATE 3584070). EU-specific terms in IATE are identified by the ‘European Union’ domain and/or origin and include legal and administrative terms, and terms belonging to different policy areas under EU competence.
- c) Country-specific terms originate from specific countries and are linked to their social structures, culture, or traditions. These terms do not have an equivalent in the TL and pose the highest difficulty for translators as pointed out, for example, by Prieto Ramos and Cerrutti (2021: 166).

In the next sections, we will see why understanding the nature of the term (universal, EU-specific, or country-specific) is crucial for the translator to find the correct term in the TL.

4 For a similar categorisation of terms based on their ‘discourse features’, see Prieto Ramos, Cerrutti (2021: 160).

2.2. Comparative Terminology Work

Translators use different strategies, depending on whether a term indicates a universal, EU-specific or country-specific concept.

- a) For universal terms, translators need to establish the conceptual equivalence between the SL term and the TL term. Fischer (2010a: 173) refers to this interlingual comparison as horizontal comparative terminology work. Ideally, universal SL terms have their exact equivalent in the TL. However, some universal terms do not have an exact equivalent in the TL, but only an inexact or partial equivalent, or no equivalent at all. In this case, translators can either: i. use an inexact or partial equivalent (a ‘functional’ equivalent), i.e. a TL term that describes a TL concept with the same function as the SL concept, or ii. they can use a ‘translation equivalent, i.e. a TL term created to describe the SL concept (Fischer 2010a: 86–88). The choice between functional and translation equivalents in terminology depends on the degree of similarity between the SL and TL concepts and the context. A functional equivalent is selected, i.e. a domestication strategy is employed, when there’s significant overlap, while a translation equivalent, i.e. a foreignisation strategy, is preferred when the difference is significant. The context may also influence the choice, with a domestication strategy sometimes being preferred to make the term more familiar.
- b) For EU-specific terms, due to the autonomy of the EU concept system, not only inter-lingual equivalence but also intra-lingual equivalence plays a role. Translators check the equivalence between the EU-specific concept and possible existing TL concepts. This intra-lingual comparative process is referred to by Fischer (2010a: 177) as vertical comparative terminology work. Due to the autonomy of the EU concept system, translation equivalents are regularly chosen over functional equivalents (also referred to as ‘national terms’ in Stefaniak 2013: 63), as the use of national terms could distort the message of the EU text and it would not be clear that the term covers an EU concept. This necessity implies that EU texts often have an unfamiliar and non-native character, as many authors have pointed out (e.g. in Koskinen 2000: 90).
- c) Terms that are specific to one country or organisation do not have an exact equivalent in other languages unless the country or

organisation in question has several official languages. Again, translators can either i. adopt a domestication strategy by choosing a functional equivalent, or ii. opt for foreignisation and create a translation equivalent.

The possible degrees of equivalence for each type of term described above, and the corresponding strategies that can be used to translate terms into the TL, are summarised in the table below:

Table 1. Types of SL terms with degree of equivalence and possible strategies to find/create their TL equivalent

TYPE OF SL TERM	TERMS INDICATING UNIVERSAL CONCEPTS			TERMS INDICATING EU-SPECIFIC CONCEPTS		TERMS INDICATING COUNTRY-SPECIFIC CONCEPTS	
Degree of equivalence	exact equivalence	near/partial/no equivalence		exact equivalence		near/partial/no equivalence	
Translation strategies for TL terms	use existing TL term	create translation equivalent	use functional equivalent	create translation equivalent	use functional equivalent	create translation equivalent	use functional equivalent

3. CONCEPT-ORIENTATION IN IATE

The EU’s terminology database, IATE (Interactive Terminology for Europe: www.iate.europa.eu), is concept-oriented like most others. With more than 650,000 entries and almost 7 million terms in 24 EU languages and some others, it is one of the largest multilingual databases in the world. It has been in use for the management of EU-specific terminology since 2004. As IATE is highly multilingual, all terms in an entry must be related to the same concept. This is ensured, inter alia, by the structure of an entry and the key data fields that it contains, as we will see below.

3.1. Language-Independent Level (LIL)

This level contains data for the entire entry, including administrative metadata and concept-related information such as DOMAIN, ORIGIN, and CROSS-REFERENCES. IATE’s domains are aligned with EuroVoc, the EU’s multilingual thesaurus. The ORIGIN field indicates a concept’s geographical or institutional (e.g. EU or UN) origin. CROSS-REFERENCES link related entries.

Domain:	Council of the European Union [EUROPEAN UNION > EU institutions and European civil service > EU institution] 12 LAW European Parliament [EUROPEAN UNION > EU institutions and European civil service > EU institution] drafting of EU law [EUROPEAN UNION > European Union law > EU law]
Origins:	
Origin:	(EU) European Union
Cross-references:	
Cross-reference:	current entry is related to 126540 European Parliament ↗
Cross-reference:	current entry is related to 878414 Council of the European Union ↗
Cross-reference:	current entry is related to 930970 ordinary legislative procedure ↗
Owner:	Consilium

Figure 2. Language-independent level of IATE entry 853538

Ideally, definitions should be language-independent with equivalents in each language section. However, due to the absence of a non-language system for defining concepts, each language section defines the concept independently. This leads to a split of conceptual information between language-independent and language-specific levels, causing potential discrepancies in definitions across languages (Kardos, Rádai-Kovács 2014: 168).

3.2. Language Level (LL)

This level refers to the concept and is written in a specific language and applies to all terms in that language. Definitions in different languages appear here. IATE uses an anchor language as a reference for all other languages to ensure that definitions refer to the same concept. This key principle ensures that “*each entry corresponds to a single concept, which applies ‘horizontally’ across all languages and ‘vertically’ for all the terms in each language*” (IATE Handbook, 81). The anchor language, typically English or French, is usually the source language of the text in which the term first appears. However, for country-specific concepts the anchor language should be the official language of the country or institutions concerned and the relevant country/institution should be indicated in the ORIGIN field. Additional information related to the concept is provided in the NOTES field. A missing anchor language or different concepts defined by different languages can make an entry potentially corrupt. Therefore all language sections must refer to the same concept as defined by the anchor language.

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Figure 3. Language level of IATE entry 853538

3.3. Term Level (TL)

This level contains one or more terms in a specific language. In addition to TERMS, this level may contain SHORT FORMS, PHRASES, FORMULAE, ABBREVIATIONS or LOOKUPS (terms or spelling variations that are searchable but do not appear as a term in the hit list). In line with the principle of ‘term autonomy’, terms should be entered in separate TERM fields. Where an entry contains synonyms, it is important to ensure that all terms refer to the same concept, and in the case of ‘near synonyms’ TL notes may be used to explain their usage. Grammatical, linguistic or regional usage information is also included at this level.

Term:	ordinary legislative procedure
* Term reference:	Article 294 of the consolidated version of the Treaty on the Functioning of the European Union. http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0001:01:EN:HTML
Term type:	term
Reliability:	★★★★
Note:	As a result of the Lisbon Treaty, the codecision procedure becomes the "ordinary legislative procedure".
Owner:	Consilium

Abbrev:	OLP
* Term reference:	European Parliament resolution of 10 March 2010 on the regulation applying a scheme of generalised tariff preferences (22.9.2020)
Term type:	abbrev
Reliability:	★★★
Language usage:	The abbreviation is not found in the official acts establishing the ordinary legislative procedure, but is commonly used elsewhere.
Owner:	Consilium

Figure 4. Term level of IATE entry 853538

4. DIFFERENT SCENARIOS

This section explores possible equivalence scenarios. It shows that in cases where there is no exact equivalence between terms defined in different languages, careful examination of different data fields is required to establish equivalence relationships. In addition, it is often not clear whether the TL terms are translation or functional equivalents. Again, this can only be determined by a thorough examination of several data fields. The examples presented are drawn from a variety of languages and areas of EU legal competence.

4.1. Universal Terms with Country-Specific Dimensions

Universal terms belonging to different domains have in most cases exact equivalents in the TL: e.g. EN: ‘carbon sink’, FR: ‘puits de carbone’, DE: ‘Kohlendioxidensenke’, IT: ‘pozzo di assorbimento’ (IATE 897482). Not only technical terms, but also, for example, financial neologisms can be universal: the term ‘crowdfunding’ (IATE 3542067) has exact equivalents in all EU languages: FR ‘financement participatif’, DE ‘Schwarmfinanzierung’, ES ‘financiación participativa’, etc. In such cases, existing domain-specific terminology is normally adopted in EU acts (such as Regulation (EU) 2020/1503 on European crowdfunding service providers) to avoid the creation of parallel EU and national terminologies for the same universal concept.

However, some universal concepts lack a widely adopted definition, leading to inexact or partial equivalence relationships due to differences in regions, countries or organisations. This is particularly evident in the legal, social, cultural, and political domains with different structures. Typically, legal terms may have exact equivalents in some languages but not in others because of the differences in the legal systems of the Member States. For example, the French term ‘procureur général’, i.e. “*magistrat qui représente le ministère public auprès des juridictions supérieures*” (IATE 803207), has functional equivalents in some languages but not in others. In Hungarian, for example, the term ‘főügyész’ denotes a similar concept, while in English a translation equivalent, ‘Prosecutor-General’ is proposed, because this legal institution does not exist in the United Kingdom, still an EU Member State at the time when this database entry was recorded. In Ireland, this role is performed by the Director of Public Prosecutions, but this potential functional equivalent is not indicated in the entry. In the German section,

several country-specific equivalents are displayed: ‘Generalstaatsanwalt’ for Germany, and ‘Generalprokurator’ for Austria and Belgium. In Italian a translation equivalent is suggested: ‘procuratore generale’ and a note in the entry clarifies that this function has a different name in the Italian legal system. Thus, while some languages propose functional equivalents or several country-specific terms, others suggest translation equivalents. However, this information can only be deduced from the references or the context of the terms, or the notes.

Educational terminology can also be a challenge. The term ‘teacher’ (IATE 770695) (“*person whose function is to impart knowledge, know-how or skills to learners in an education or training context*”) has several equivalents in some languages. The Italian term ‘docente’ includes all categories of teachers, while ‘insegnante’ refers only to school and vocational teachers, and does not include university teachers. Equivalence is therefore only partial in the case of ‘insegnante’. Likewise, in Hungarian ‘tanár’ is the most common equivalent, and refers to teaching staff in primary, secondary and tertiary education (and does not include nursery teachers, called ‘óvópedagógus’), whereas the more specific term ‘pedagógus’ refers to teachers in nursery, primary and secondary education (and does not include teachers employed in higher education). According to IATE, the more universal term ‘tanár’ is to be used in the EU context, while ‘pedagógus’ has an “*admitted*” evaluation label. For a translator, this information may be sufficient to choose the correct term according to the context. At the same time, the equivalence relationship between the English and the Hungarian terms is only partial, since neither of the two Hungarian terms covers all teaching staff from preschool to higher education, therefore both terms are functional equivalents.

In certain instances, the absence of equivalence information and confusion between universal and country-specific concepts may compromise the accuracy of terminological entries. The term ‘numéro d’identification fiscale’, i.e. “*numéro permettant d’identifier les contribuables et de faciliter ainsi l’administration des affaires fiscales*” (IATE 913647 with French as anchor language) is defined in German by reference to the German tax regime as “*elfstellige Identifikationsnummer, die jeder Bürger erhält und die von der Geburt bis höchstens 20 Jahre nach dem Tod gilt und in dieser Zeit einmalig und unverändert bleibt*”. Similarly, the Spanish definition refers to the Spanish tax identification number. This does not create translation issues, because

the terms ‘Steuer-Identifikationsnummer’ and ‘número de identificación fiscal’ in German and Spanish, respectively, are not specific to the German or Spanish context, and can safely be used in EU texts as well, although the concepts defined are different from the French concept. A note in the English section indeed clarifies that “*this entry is for the generic concept*” and not for the country-specific identification numbers. The Italian definition, on the other hand, is in line with the French, but the entry displays two terms, both used in Italy: one for Italian taxpayers and the other for foreign residents. This is explained in the notes, but it remains unclear which of the two functional equivalents is to be used in EU texts.

To provide another example, we cite IATE entry 1392157, which defines ‘unemployment benefit’ and ‘jobseekers’ allowance’ as “*payment made by the state to an unemployed person*”. While the concept is universal, in several languages, in addition to the universal term, one or more country-specific versions are also displayed. The term ‘jobseeker’s allowance’ is used in the UK, ‘Arbeitslosengeld’ in Germany, ‘Arbeitslosenentschädigung’ in Switzerland, ‘prestazione di disoccupazione’ in Italia. To clarify the country-specific nature of a term, some languages use term level notes, as demonstrated by the note in the German section: “*Dies ist der richtige Terminus im Zusammenhang mit EU-Recht. Die Bezeichnungen in den Sozialsystemen einzelner Staaten weichen davon ab.*” Similarly, the Hungarian section clarifies that the term ‘munkanélküli ellátás’ is a functional equivalent, to be used in EU translations and that it differs from the concepts used in the current Hungarian legislation. Other languages do not explicitly mention neither the country-specific nature of a given term nor do they provide guidance on which of the terms listed in the entry would be most suitable for use in an EU text.

Mixing universal and country-specific terms in entries can be a source of confusion, as the EU often uses universal terms without explicit definitions, allowing for different interpretations in different languages. This may undermine legal certainty.⁵ Moreover, if a concept in EU legislation has a different meaning from the national concepts, this conceptual autonomy should also be reflected at the language level. In this case, it is misleading to use country-specific terms (Somssich *et alii* 2020: 74).

5 In many cases, the European Court of Justice (ECJ) is called upon to clarify or define EU legal concepts in the absence of a clear definition or any definition at all. The meaning of an EU concept is always determined in the light of the context and objectives of the provision in question. Therefore, concepts as interpreted by the ECJ may differ from concepts already in use in some Member States (Somssich *et alii* 2010: 133).

4.2. EU-Specific Terms with Country-Specific Dimensions

Exact equivalence is always the case when it comes to concepts created by the EU since the corresponding terms are created in parallel in all official EU languages and many cases they are defined in the relevant legal acts. For example, the ‘pandemic emergency purchase programme’ (‘PEPP’), established by Decision (EU) 2020/440 of the ECB is a Eurosystem purchase programme with a EUR 750 billion envelope (Art. 1.1 of the Decision). The issues that arise from the translation of EU-specific terms are linguistic, rather than conceptual.⁶

In contrast, directives, although not directly applicable in Member States, require transposition into national law. During this process, terms used in the original EU act may be subject to change. For the sake of legal certainty, the terminology of the EU directive must be followed in further related EU acts and not that of the national law transposing it. Consequently, the terms used in EU legislation may differ from those used in national legislation. In most cases, though, national terminology aligns with the original EU directive, resulting in identical terms in EU and national legislation. One example is the term ‘distance contract’ as originally defined by Directive 97/7/EC, subsequently repealed by Directive 2011/83/EU, as amended. Terms defined in the Directive, such as the French ‘contrat à distance’, Italian ‘contratto a distanza’, and German ‘Fernabsatzvertrag’ were introduced into the national legislation. In other cases, legal harmonization, particularly directive transposition, may lead to terminological convergence. For instance, the term ‘fiscal fraud’ (IATE 3550212), did not have an exact equivalent in Hungarian, until Hungary, to fulfil EU harmonisation obligations, amended Act C of 2012 on the Criminal Code, creating the offence of fiscal fraud.

EU and national terms, denoting the same concept, may also co-exist. This denominative variation is often caused by the fact that a directive has been transposed into national law using different terminology, sometimes because the newly created EU term (often a literal translation) is not well accepted by the linguistic community. The term ‘passenger ship’ (IATE 897918) has two equivalents in Hungarian: ‘személyhajó’ in the EU legislation (a calque of the English term used in Directive (EU) 2016/1629)

⁶ For further information on the strategies employed to render these terms in the TL, we refer to Stefaniak (2013: 63).

and ‘személyszállító hajó’ in the corresponding Hungarian law (Act XIX of 2012)⁷. Despite the conceptual equivalence, translators have created a translation equivalent specifically for the EU context. This practice is not uncommon in EU texts, as translators should choose neutral terms, that are not linked to any national legal system, as explained in section 2. However, they sometimes create unnecessary synonyms by trying to distinguish between EU and national terms, even when there is no conceptual difference between them. It is recommended to avoid creating parallel terminologies unless it is necessary to fill a terminological gap or to create a term to distinguish a specific EU concept from those of the Member States (Rádai-Kovács 2009: 91; Biel, Doczekalska 2020: 207).

Existing country-specific terms can also be given an EU-specific meaning: the term ‘registered partnership’ (IATE 3583592), as defined by Regulation (EU) 2016/1104, is at the same time an EU-specific and a country-specific concept, which is indicated in the `ORIGIN` field of the entry. It shows that this concept exists, in addition to the EU legislation, also in the national legislation of Czechia, Greece, Spain, Finland, Lithuania, and the Netherlands. These functional equivalents can be used in particular when the concept is defined by a legal act or when the context clearly shows the EU-specific character of the concept. A translation equivalent is proposed in the languages of other Member States for which this legal instrument does not exist, as indicated in the `NOTE` field: “*Origin of the reference: Legislation EU*”. This important information shows translators that the term does not exist in the legal system of the Member State in question. It also happens that a universal term (‘ouvrier qualifié’ in IATE 797154) is used by the EU in its own Staff Regulations with a specific meaning, without the EU-specificity being indicated in the `ORIGIN` field. We can only infer this from the domain and the comment.

As pointed out above, to clearly distinguish EU-specific and country-specific concepts, different terms should be adopted, to make possible conceptual differences clear. However, if there is no conceptual difference or it is negligible, in principle the existing national term will be used.

⁷ In this case the terminological divergence is due to the fact that both terms are the result of secondary term creation. In fact, the Hungarian legislation itself is a translation, as it contains the promulgation of the Hungarian translation of the International Convention of 1978 on Standards of Training, Certification and Watchkeeping for Seafarers, as amended in Manila in 2010.

4.3. Country-Specific Terms

As explained in section 3.1 above, the main tool for identifying country-specific (or institution-specific) terms in IATE is the ORIGIN field, which is reasonably placed at the language-independent level (LIL) of the entries. The systematic completion of this field, and its verification by translators, is crucial for the correct selection of terms. Another important feature is that in the case of country-specific terms, the anchor language is always the/an official language of the country/organisation to which the term is specific.

Exact equivalence is in principle impossible in the case of country-specific terms, which exist in only certain countries and therefore have no exact equivalents in other languages. They may be expressed by inexact or partial (functional) equivalents or, in the absence of equivalence, by translation equivalents. As shown above, it is not uncommon for EU legal texts to refer to country-specific concepts. It is therefore of the utmost importance to distinguish these concepts from other universal or EU-specific concepts, also at the term level. Translators are therefore encouraged to use translation equivalents.

Among EU texts, country-specific terms are perhaps most common in the case law of the Court of Justice. For example, the term ‘Corte di Cassazione’ (IATE 3585131) is specific to Italy, so the anchor language is Italian. The country-specific nature of the term is also made clear by the ORIGIN field in the LIL, and the definition and the notes explain its role in the Italian legal system. The English term is a translation equivalent, which is made clear by the TL note: *“Origin of the reference: Internal document of the English Language Unit, Directorate-General for Multilingualism, Court of Justice of the European Union, 2019 (Formulation IT > EN)”*. This information on the *“origin of the term”* is used in IATE entries of the Court of Justice, when the concept does not exist in the TL.⁸ Given the diversity of the legal systems of the 27 Member States, the lack of conceptual equivalence is a daily challenge for the Court’s translators. The systematic indication of the absence of conceptually equivalent terms in the TL is valuable information for translators. However, as we have seen, the entries of other institutions may be prepared with a different approach and may show functional and translation equivalents as exact equivalents of the anchor language term.

⁸ As stated by the Court of Justice’s leaflet on legal terminology in IATE (Comparative multilingual legal vocabulary. A structured collection of terminological data, 2020).

For example, the term ‘Amstgericht’ (IATE 889426), the court of first instance of ordinary jurisdiction in Germany, is rendered in French with a functional equivalent belonging to the Swiss jurisdiction: ‘Tribunal cantonal (“Amtsgericht”)’ and a note in the LL clarifies that the concept is specific to the German context, while in English a translation equivalent is proposed: ‘Local Court’, even though the English definition does not mention that this concept is specific to Germany.

5. HOW THE TERMINOLOGY DATABASE CAN HELP TRANSLATORS FIND THEIR WAY AROUND

As we have seen, the first step in choosing the right term is to identify how systemic the term is. This requires determining whether the term is universal, EU or country-specific. The appropriate IATE entry can then be selected. It has been found that the lack of exact equivalence is not only a problem for country/institution-specific terms but also for universal terms that may have country-specific dimensions. On the other hand, in the absence of exact equivalence, there appears to be no systematic indication of whether a given term is a translation or a functional equivalent (except the Court of Justice’s IATE entries). To address this, terminologists often insert NOTES at the language or term level of the entry. In other cases, it is only through careful study of the references or conceptual analysis that we can determine the level of equivalence and whether the proposed term is a translation or a functional equivalent. Sometimes term evaluation labels such as ‘preferred’, ‘accepted’ or ‘deprecated’ are used, although in principle this field should provide an indication of the appropriateness of a term in the EU context and not of equivalence relationships.

To address the challenges and to promote the systematic indication of equivalence relationships, especially in the absence of an exact equivalent, we propose to:

- a) Systematically indicate the EU- or country-specific nature of a term by including the relevant country/organisation in the ORIGIN field for country-specific terms. An empty ORIGIN field would indicate that the concept is not linked to any country or organisation and can therefore be considered universal. Language level NOTES could also be used to explain specificities of the concept in question.
- b) Introduce a new optional data field: the TRANSFER COMMENT field, i.e. a “*note in a terminological data collection providing information on*

the degree of equivalence, directionality or other special features affecting equivalence between a designation in one language and another designation in a second language” (ISO 12616-1:2021). This optional field would indicate whether a term is functional or translation equivalent.

The use of an equivalence field is common in multilingual terminology databases. WIPO Pearl, the database of the World Intellectual Property Organisation, includes a `TRANSFER COMMENT` field that indicates the degree of equivalence between terms in different languages (Valentini *et al.* 2016: 197; WIPO Pearl User Guide). Likewise, Termium Plus, the Government of Canada’s terminology database, uses specific labels (i.e. ‘semantic parameters’, such as ‘generic’ and ‘specific’) to indicate that the entry term has a broader/narrower meaning than that of its equivalent in another language. Similarly, IUSTerm, the database of the Hungarian Office for Translation and Attestation includes an `EQUIVALENCE` field that categorises terms as perfect, functional, or translation equivalents (Tamás *et alii* 2020: 126).

6. CONCLUSION

As we have seen, in many cases the difficulty for the translator is that the source text contains a combination of universal concepts, culture-specific concepts (belonging to a national culture or legal system) and homogenised concepts (belonging to the EU concept system). Therefore, translators must be able to identify the universal, EU-or country-specific nature of a concept indicated by a given term to be able to place it in the appropriate concept system. Furthermore, IATE, the main terminology management tool of EU institutions does not systematically indicate the universal, EU- or country-specific nature of a term, nor does it present equivalence relationships in a formalised way. At present, the `ORIGIN` field, language and term level notes, evaluation labels, term, and context references help translators to make informed terminological decisions. The dedicated `ORIGIN` field is the most appropriate field to provide information on the system-bound nature of terms, and therefore its systematic completion is essential for institution/country-specific terms. Moreover, to clarify the equivalence conditions, we propose the inclusion of a new optional `TRANSFER COMMENT` data field, the completion of which would be recommended especially in the case of terms that do not have exact equivalents. It could specify whether the indicated term is perfect, functional or

translation equivalent. Providing this kind of information on conceptual equivalence relationships may help translators in making informed terminological decisions according to the context.

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KONCEPTUALUSIS LYGIAVERTIŠKUMAS DAUGIAKALBĖJE ES TERMINIJOJE: IŠŠŪKIAI IR GALIMI SPRENDIMAI

Santrauka

Sąvokų analizė yra pagrindinė terminijos darbo dalis, ypač daugiakalbiuose ir į vertimą orientuotuose kontekstuose. Šiame straipsnyje nagrinėjama orientavimosi į sąvokas reikšmę į vertimą orientuotame terminologijos darbe Europos Sąjungoje. Europos Teisingumo Teismo pripažinta ES teisės sistemos autonomija reiškia, kad teisės terminai ES teisėje ir nacionalinėje teisėje gali turėti skirtingas reikšmes. Terminų tipų įvairovė ES tekstuose reikalauja, kad vertėjai suvoktų universalų, specifinį ES ar konkrečiai šaliai terminų pobūdį, kad parinktų geriausią konkrečios kalbos atitikmenį. Straipsnyje aprašomos strategijos, kurias vertėjai gali naudoti dirbdami su įvairių tipų terminais (universaliais, būdingais ES ar būdingais konkrečiai šaliai). Nagrinėjami sunkumai verčiant universalius terminus, turinčius konkrečiai šaliai būdingų aspektų. Straipsnyje parodoma, kaip informacijos apie lygiavertiškumą trūkumas ir universalijų bei konkrečiai šaliai būdingų terminų painiojimas gali susilpninti terminų įrašus. Taip pat akcentuojami specifinių ES terminų perkėlimo į nacionalinės teisės kalbą iššūkiai. Pabrėžiama, kad kalbant apie konkrečiai šaliai būdingus terminus, nesant atitinkamo termino vertimo kalboje, gali tekti vartoti netikslūs ar dalinius atitikmenis. ES terminologijos duomenų bazėje IATE pateikiama (nors ne visada sistemingai) tam tikra informacija apie terminų kilmę ir lygiavertiškumo santykius. Dažnai ją galima gauti tik nuodugniai išnagrinėjus kelis duomenų laukus. Kad būtų išspręstos šios problemos, straipsnyje rekomenduojama sistemingai nurodyti sąvokos kilmę ir įvesti naują neprivalomą duomenų lauką PERKĖLIMO KOMENTARAS, kuriame būtų paaiškinti konceptualiojo lygiavertiškumo santykiai. Teigiama, kad šis neprivalomas duomenų laukas galėtų būti naudingas vertėjams, nes padėtų jiems suvokti lygiavertiškumo santykius ir priimti pagrįstus sprendimus parenkant vertimo kalbos terminus.

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