

Code of Conduct for Translators and Interpreters

Cette brochure est également disponible
en français sur le site du CGRA :

Deze brochure is ook beschikbaar in het
Nederlands op de website van het CGVS:

This brochure and all language versions are
available on the CGRS website:
www.cgrs.be/en/publications

Publisher:

Commissioner General for Refugees
and Stateless Persons (CGRS)

Rue Ernest Blerot 39
1070 BRUSSELS



02 205 51 11



cgrs.info@ibz.fgov.be



www.cgrs.be



[@cgvs_cgca](https://twitter.com/cgvs_cgca)

Edition:

August 2020

Revised:

November 2022

TABLE OF CONTENTS

FOREWORD	4
1. CONFIDENTIALITY	6
2. IMPARTIALITY	7
3. ACCURACY AND COMPREHENSIVENESS	9
4. INTEGRITY	11
5. PROFESSIONAL ATTITUDE	13
6. FEEDBACK AND COMPLAINTS	17
CONTACT DETAILS	19



FOREWORD¹

Many applicants for international protection are not proficient in French, Dutch or English. To communicate with these applicants, for instance during their personal interview, the services of translators and/or interpreters are used.

The asylum translator-interpreter is not a staff member of the Belgian asylum authorities. He is self-employed and hired by the asylum authorities on a task-by-task basis. He is therefore free to accept or refuse an interpretation or translation task from an asylum authority. The translator-interpreter is not responsible for –and is not otherwise involved in– the functioning and the organisation of the asylum authorities and their staff. He does not act as an interlocutor or person of trust. The translator-interpreter only acts as a neutral intermediary who enables communication between the applicant and the asylum collaborator. In substance, his task is to convey completely, faithfully and neutrally the statements of the parties in the asylum procedure, orally or in writing. The translator-interpreter does not intervene in any other way in the handling of the application for international protection. He has no access to internal information and exerts no influence on the decision concerning the application for international protection.

Although an asylum translator-interpreter works on a self-employed basis, without a hierarchical relationship, this does not mean that some obligations cannot be imposed on the translator-interpreter, inasmuch as they follow from the law, the nature of their work and are necessary for the proper functioning of the asylum authorities. In this respect, the asylum translator-interpreter, just as any staff member, has the responsibility to contribute to the mission and values of the asylum authority.

The present code of conduct describes the rights and duties of the asylum translator-interpreter. It serves as reference tool whenever the services of a translator-interpreter are needed to enable communication between the applicant and the asylum worker. Its objective is to ensure the quality of the

1 For the sake of readability, masculine pronouns will be used throughout. Wherever appropriate, use of the feminine pronoun is of course implicit.

communication, to guarantee a good relationship and collaboration between the asylum collaborator and the translator-interpreter, and to safeguard the dignity and integrity of the translator-interpreter. In the event of a problem or complaint, both the asylum worker and the translator-interpreter can refer to the code of conduct.

Every translator-interpreter who performs a task for an asylum authority must read the code of conduct and act accordingly. The code rests on four pillars: confidentiality, impartiality, accuracy and comprehensiveness, and integrity. A separate chapter is dedicated to the professional attitude a translator-interpreter has to adopt. Finally, the code of conduct has a chapter on feedback and complaints.



1. CONFIDENTIALITY

Translator-interpreter

The translator-interpreter is strictly bound by **professional secrecy**. Under no circumstances can oral or written information and, a fortiori, the personal data entrusted to him while carrying out his interpreter's task, be communicated to third parties, not even in general or anonymous terms. The translator-interpreter is expressly forbidden to use for personal ends or for the benefit of third parties written or oral information and, a fortiori, personal data obtained by him.

Professional secrecy must still be observed when the collaboration of the translator-interpreter with the asylum authority has ended.

Only when expressly authorised by law can professional secrecy be broken. A translator-interpreter will not be prosecuted for a breach of professional secrecy in one of the following cases:

- obligation to report when his or another person's integrity and/or security is at risk;
- obligation to lend assistance to persons in danger;
- testimony in court, before an examining magistrate or a (parliamentary) committee of inquiry. In this case, a translator-interpreter can still exercise his right to silence;
- a request to describe his professional activities in the framework of legal assistance (confidential conversation with a lawyer) or psychiatric therapy. In this case, the translator-interpreter should avoid any reference to specific persons or applications for international protection.

Translator

The translator takes appropriate **organisational and technical (security) measures** to prevent third parties to get access to documents that have to be translated or to the (personal) data these documents contain. This implies, among other things, that

- when performing a translation assignment,

- > he only uses
 - a PC or laptop with a strong individual **password** and the necessary **security software**;
 - a reliable and **secure wifi** connection;
- > he does not leave documents (texts to translate, finished translations, draft versions etc.) unattended and puts them securely away when not working on them;
- he does not keep any document longer than strictly necessary for the purpose of translation. After finishing the translation, he will immediately **destroy** the (printed) **paper versions** of documents by passing them through the paper shredder at the asylum service or depositing them in the paper container provided for that purpose. If the translator cannot come to the asylum service, he will destroy the pieces right away at home by running them through the shredder or tearing them into small pieces. Apart from the digital version of the finished translation, the translator will immediately destroy the **digital versions** of documents by permanently **removing** them from his PC or laptop. The translator will keep the digital version of the finished translation **for two months**, after which he will also permanently delete it from his PC or laptop.

The translator informs immediately, and preferably by phone, the Interpreters Service of any breach of security or other incident that may occur, such as loss or theft of a document, consultation of documents by unauthorized persons, sending a finished translation to a wrong mail address etc.

If the translator wishes to keep a list of translation assignments, he must never include in his list personal data of asylum applicants, such as their name.

2. **IMPARTIALITY**

Translator-interpreter

The translator-interpreter adopts a position of complete **independence, objectivity and neutrality**. He does not take sides and does not discriminate.

The translator-interpreter immediately **informs** the asylum worker or the interpreters' service when he realises there is a family, social, personal or professional link between himself and one of the parties, or a potential or actual, real or apparent, **conflict of interest** (reward, threat, etc.).

The translator-interpreter refuses an interpretation or translation assignment or stops such an assignment when his impartiality cannot or can no longer be guaranteed. The assignment will then be given to another translator-interpreter

Interpreter

During the personal interview, the interpreter is not at the disposal of the asylum applicant's lawyer, guardian, or person of confidence. This means that he never translates directly between the asylum applicant and his lawyer/guardian/person of confidence without the asylum worker's consent.

The interpreter never provides, not even upon request, any other information than that conveyed in the statements of the parties. He does not give support or advice to any of the parties and **avoids getting personally involved** by allowing his personal opinions, preferences, views and/or feelings to influence him or by expressing them verbally or nonverbally. He never reacts on his own initiative to unfriendly, rude, vulgar, offending or abusive language.

The interpreter accepts that only the **asylum worker conducts** the interview and determines what is relevant in the asylum case. The interpreter should not put himself at centre stage of the interview or impose himself in any other way. Neither should he try to influence the content or steer the course of the interview, for instance by volunteering questions to the applicant.

The interpreter should never on his own initiative try to prevent or settle problems, frictions or conflicts between the asylum applicant and his lawyer/guardian/person of confidence on the one hand and the asylum worker on the other.

The interpreter **refrains from any comment**, except when relevant for his interpretation task. If need be, he may intervene (referring to himself as 'the interpreter') to ask for a clarification when

- the speaker speaks too fast, too slowly or inaudibly;
- the applicant speaks, or switches to, another language or dialect than that for which the interpreter has been requested, even when the interpreter is proficient in the language or dialect in question;
- the applicant is only able to express himself in a rudimentary way.

Wearing visible political, religious or philosophical **symbols**, such as a yarmulke, a small cross or a headscarf is **not allowed while carrying out an interpretation task**. For the applicant, it is essential to be treated with respect and to be able to bring his story in a neutral and impartial environment. Political, religious or philosophical symbols are liable to interfere with the required neutrality, especially when the applicant has fled his country for political, religious or gender-related reasons.

When translating the applicant's utterances for the asylum worker and vice versa, the interpreter uses alternatively the **first person singular** (I) and the **second person singular** (you). The interpreter can deviate from this rule when an utterance is directly addressed to him, especially if it conveys an insult, a threat, an attempt to exert pressure or a critique of the quality of the translation or of the interpreter's objectivity (cf. "The interpreter would like to intervene and report that the applicant just said: ...").

Ideally, and if possible, the interpreter is seated at the same distance from the asylum worker and the applicant, at the apex of an imaginary isosceles triangle, the base of which is formed by the two parties sitting face to face.

Translator

The translator **refrains from any comment**, unless of a technical nature: he can for instance mention under "translator's note" that

- the document is (partly) illegible;
- the document is only partly in the language (or dialect) the translator was asked to translate from, even when the translator is also fluent in the other language (or dialect);
- the document is very poorly written, the grammar and syntax are rudimentary.

3. ACCURACY AND COMPREHENSIVENESS

Translator-interpreter

The translator-interpreter **reproduces** all the utterances **comprehensively, accurately and faithfully**, i.e. word for word if possible, but especially as to meaning, content and intention, without any abridgments, additions, omissions or changes. He uses the same speech register, style, and, concerning the interpreter, preferably the same intonation, as the speaker.

Interpreter

The interpreter thus conveys the complete utterance and its terminology, including

- utterances that are directly addressed to the interpreter;
- utterances that have nothing to do with the application for international protection;
- utterances that the speaker immediately regrets having made;
- hesitations, verbal slips and empty words;
- technical jargon;
- errors, falsehoods and inaccuracies;
- unpleasant, unfriendly, rude, insulting or shocking utterances as well as abusive language.

For a clear understanding, the interpreter **informs** the parties concerned (referring to himself as “the interpreter”) **whenever**

- he is unable to translate a word or phrase immediately and needs to look it up in a (digital) dictionary;
- he **needs to** resort to **paraphrase** because there is no equivalent in the target language of the specific term, expression, proverb he has to translate;
- he is faced with certain **culture-related terms**, concepts or verbal etiquette which could lead to confusion, misunderstanding or incomprehension and should therefore be clarified;
- he would like the utterance to be **clarified or repeated** in order to check if he has understood it correctly.

Translator

The translator reproduces the content **completely and keeps the terminology used in the original**, including

- content which has nothing to do with the application for international protection;
- technical jargon;
- errors, falsehoods and inaccuracies;
- unpleasant, unfriendly, rude, insulting or shocking language and terms of abuse.

For a clear understanding, the translator **informs** the party concerned, in a "translator's note", **when**

- it was necessary to **rephrase** a sentence or expression, saying etc. because there is no equivalent in the target language;
- he has to deal with certain **cultural related terms**, concepts or manners which could lead to confusion, misunderstanding or incomprehension and should therefore be clarified.

4. INTEGRITY

Translator-interpreter

The translator-interpreter is of **irreproachable** conduct and meets standards of **integrity**.

Regarding the requirements of independence, objectivity and neutrality, the translator-interpreter agrees to undergo a security check by the National Security Authority in accordance with the laws of 11 December 1998 on security authorisations and their implementing decrees. Basic police and judicial information will be checked as well as whether the interpreter is known by the Belgian intelligence and security services.

The translator-interpreter immediately informs the interpreters' service when his integrity is jeopardized for real or apparent reasons (arrest, subpoena etc.).

The translator-interpreter behaves in a **proper, dignified and respectful** manner towards the staff of the asylum authorities,

other interpreters, asylum applicants and their lawyers, guardians, or persons of confidence, regardless of their language, nationality, ethnicity, religion, culture, age, political opinions, gender or sexual orientation, etc.

The translator-interpreter should under **no** circumstances avail himself of his position (of power) to solicit or receive **(financial) favours, advantages, rewards and/or quid pro quos** from the parties involved.

Interpreter

Beyond his purely interpretative tasks

- the interpreter **avoids any interaction with the applicant, lawyer, guardian and person of confidence**. While carrying out his task as interpreter, he preferably never stays alone with one of these parties. If the interpreter is approached by one of the parties regarding the application for international protection, he refers the party to the relevant asylum authority;
- the interpreter does not carry out any other administrative tasks for the benefit of the asylum authority or the applicant, such as getting a cup of coffee, fill in documents or take photocopies;
- the interpreter does not maintain a relationship, fulfil a function or carry out activities that may lead to a conflict of interest when performing interpretation tasks for the asylum authorities.

The interpreter never deliberately makes an incorrect translation of an utterance. He **acknowledges and corrects** any **mistake or error** he may have made and informs the parties involved (referring to himself as “the interpreter”). If need be, he asks for clarification.

Translator

Except for purely technical purposes

- the translator **refrains from all contact with the asylum applicant, lawyer, guardian or trusted person**. If one of these parties asks the translator a question about the application for international protection, he/she refers the party to the relevant asylum authority;
- the translator does not maintain any relations, does not hold any position or does not have any activity

which could lead to a conflict of interests regarding his translation assignments for the asylum authorities.

The translator never mistranslates deliberately. He acknowledges any mistake or error, reports them as soon as possible and corrects them.

5. PROFESSIONAL ATTITUDE

Translator-interpreter

The translator-interpreter only accepts tasks for which he has **the required qualities and skills**² (linguistic, technical etc.) and if he can guarantee the quality of the result.

The translator-interpreter refuses or ceases to carry out an assignment if he does not possess or no longer possesses the skills and qualities to carry it out properly, for instance when he does not possess (complete) mastery of the language (or dialect) spoken by the applicant or written in a document. This also applies when

- the translator-interpreter is no longer able to perform his work correctly, for instance because he is tired, ill, etc.
- the translator-interpreter cannot pursue his task on emotional or psychological grounds, or for reasons of conscience.

In such cases, the translation or interpretation task will be assigned to another translator or interpreter.

If possible, the translator-interpreter should **prepare** himself for an **assignment** on the basis of his own research or of information provided, upon request or not, by the asylum worker or the asylum authority.

The translator-interpreter does **not share** his **personal details** (name, place of origin, ethnicity, religion, etc.) with the applicant

² These skills and qualities comprise, among others, a thorough knowledge of the source and target languages, including specific terminology (military, religious, political, medical, etc.); familiarity with the specific procedures and terminology used by the asylum authorities; familiarity with the cultural background and country of origin of the applicant; awareness of his own communication style, values, attitudes and preconceptions; a good memory; attention for detail; flexibility; etc.

or any other party involved. The asylum authorities guarantee that the translator-interpreter's anonymity will be preserved.

Contacts between a translator-interpreter and an asylum worker are allowed outside the workplace provided both take particular care not to blur their respective roles and obligations, including professional secrecy, and to preserve and guarantee at any time the interpreter's integrity, independence, objectivity and neutrality.

The translator-interpreter **does not request any additional reimbursement** from one of the parties involved in addition to the fee and travel expenses he receives for his performance for the asylum authority as provided for in the relevant regulations.

The asylum authorities commit themselves to pay the translator-interpreter's fees correctly and in time.

The translator-interpreter works towards a **good professional relationship** with his **colleagues interpreters**, based on trust, consideration, collegiality and solidarity.

The translator-interpreter commits himself to assess his own performances critically, to **keep up his knowledge and expertise** and to improve them if necessary.

When using social media, the translator-interpreter should duly keep in mind that as an interpreter in a business environment he is expected to show behaviour compatible with proper standards of integrity and neutrality.

The translator-interpreter does not give interviews or comments in the press about his work as a translator-interpreter for the asylum authorities. If a journalist or other media representative tries to contact him for this purpose, the translator-interpreter refers him to the relevant asylum authority.

When recommending his own professional skills, the translator-interpreter **refrains** from any **statements or allegations** he **cannot live up to**. The translator-interpreter does not claim titles or qualifications that do not correspond to reality and does not use the logo of one of the Belgian asylum authorities without prior permission.

Interpreter

For the proper working of the asylum authorities, the interpreter

keeps to the date and hour fixed for his interpretation assignment. If he is delayed or unable to come owing to circumstances, he informs the interpreters' service as soon as possible so that the necessary arrangements can be made.

The interpreter must **identify himself** as such if asked to do so. He wears his interpreter or visitor's badge in a visible place. Preferably, he is in possession of his identity card or passport, especially when taking an assignment in a (closed) reception centre, a centre for illegal persons or a prison.

The interpreter has a **neat appearance** and wears appropriate, unobtrusive and unprovocative clothing.

Once an interpretation **assignment** is accepted, the interpreter is expected to **carry it out in its entirety**. Only under exceptional circumstances, and after agreement from the asylum worker or the interpreters' service, can an assignment be prematurely ended.

The interpreter **introduces himself** to the asylum applicant and his lawyer, guardian, or person of confidence as 'the interpreter for X' (= source language). The asylum worker will explain the role of the interpreter to all parties. If the asylum worker omits to do this, the interpreter has to **explain his role**, by pointing out that he:

- is neutral and impartial;
- will translate everything (without additions, omissions or changes);
- is bound by professional secrecy;
- will use the first person singular (pronoun I) when interpreting;
- plays no part in the handling of the asylum application besides that of interpreter, and has no influence on the final decision.

In principle, the interpreter translates **consecutively** and not simultaneously.

The interpreter speaks in a **clear and understandable** way. He adjust his speech rhythm to that of the applicant and the asylum worker. The interpreter never interrupts the speaker except when an excessively long utterance has to be interrupted in order to guarantee a correct translation or when he does not understand a word or expression.

The interpreter is allowed to **take notes** to make his work easier.

These notes have to be handed over to the asylum worker at the end of the interview. In particular, names of persons, places, political parties, military ranks etc. must be rendered with the utmost care and should be written down whenever possible. If necessary, the interpreter will ask the asylum applicant to confirm this kind of information. **Dates** expressed in another calendar than the Western Gregorian one are in principle **not converted**.

The interpreter is aware of his **nonverbal communication** and sees to it that it does not impinge on his integrity and impartiality (unconsciously or unintentionally).

As a rule, the interpreter has to switch off his **mobile phone** when carrying out an interpretation task. In consultation with the asylum worker, he may keep his mobile phone muted or in vibrating mode if he is expecting an urgent call.

The interpreter respects the right of the parties involved to refuse an interpreter or to request another interpreter.

If necessary for his proper functioning, the interpreter can ask for extra **breaks** in addition to the regular arrangements. These include a 15-minute break after 90 minutes of interpreting, as well as a lunch break of at least 30 minutes and preferably one hour.

While showing a degree of empathy necessary to carry out his task, the interpreter shall keep a proper **professional distance** towards the different parties. He refrains from

- any form of unwanted physical or verbal intimacy;
- undue familiarity or friendliness with one of the parties involved, especially with the asylum worker when the applicant is present;
- answering questions regarding interpretation from any of the parties, including the asylum worker, unless they are of a purely technical nature;
- any reaction when the applicant becomes (verbally) aggressive, does not answer the questions of the asylum worker, criticizes the quality of the translation, questions the interpreter's objectivity etc. It is up to the asylum worker to react to this kind of situation and to shield the interpreter.
- any criticism of other interpreters, the asylum worker, the interpreters' service or the asylum authority in the presence of one of the parties.

Upon request of the asylum worker or with his prior agreement, the interpreter can **explain orally a document** submitted by the applicant, i.e. translate at sight to convey the content of the document.

The interpreter is aware and accepts that his interpretation performance can be recorded in order to ensure the quality of his services.

Translator

So as not to jeopardise the proper functioning of the asylum authority, the translator **observes** the practical **arrangements** made beforehand with the Interpreters service regarding translation work.

If, due to circumstances, he is unable to comply with one or several practical arrangements, he immediately informs the Interpreters Service, in order that the necessary measures can be taken in time.

The translator is personally responsible for his translation assignment. He is not authorized to pass it on to a colleague without the Interpreters Service's or the asylum worker's approval.

Dates, (place) names, political parties, military ranks etc. have to be translated with great care. As a rule, **dates** written in another calendar than the Gregorian one are **not converted**.

The interpreter refrains from

- answering other than purely technical questions from one of the parties concerned, including the asylum worker;
- criticizing other translators, the asylum worker, the Interpreters Service or the asylum authority in the presence of one of the parties.

The translator is aware and agrees that his translation work may be reviewed to ensure the quality of his service.

6. FEEDBACK AND COMPLAINTS

Translator-intepreter

After every translation or interpretation task, the translator-interpreter can **give feedback** to the asylum worker about specific translation or interpretation-related problems and **ask feedback** about the purely technical aspects of the translation or interpretation task he performed.

The translator-interpreter can ask the asylum authorities to facilitate his access to professional assistance if he has been emotionally affected by a case and subsequently suffers long-term negative consequences.

The translator-interpreter is aware and accepts that

- the interpreters' service can ask the asylum workers feedback about his performance as interpreter or translator;
- an asylum worker can, on his own initiative, give such feedback to the interpreter's service;
- an applicant, his lawyer or person of confidence, or any other person involved, has the right to make a complaint against a translator-interpreter.

The head of the interpreters' service will examine the complaint and keep all parties informed. If necessary, action will be taken against the translator-interpreter concerned. The highest sanction possible is to request no longer the assistance of the translator-interpreter concerned.

If the translator-interpreter has a problem or a complaint about an asylum worker, the interpreters' service or the functioning of the asylum authority, he can fill in a feedback form available at the interpreters' service. The head of the interpreters' service will examine the complaint and keep the translator-interpreter informed.

CONTACT DETAILS

For questions or additional information, please contact the interpreters' service concerned:

Immigration Office: 02 793 90 20

asile.interviews@ibz.fgov.be

Office of the CGRS: 02 205 53 04

cgra-cgvs.interpretations@ibz.fgov.be

Council for Alien Law Litigation: 02 791 60 00

Tolken.interprete@ibz.fgov.be

Want to know more about the CGRS?

You will find all the information about the personal interview and the asylum procedure on our website:



www.cgrs.be

You can keep up to date with the latest news via our Twitter account:



[@cgvs_cgra](https://twitter.com/cgvs_cgra)



Office of the Commissioner General for Refugees and Stateless Persons

Rue Ernest Blerot 39
1070 BRUSSELS



02 205 51 11



cgra.info@ibz.fgov.be



www.cgra.be



www.asyluminbelgium.be



www.facebook.com/Cgra.Cgvs