

Document Quality Control in Public Administrations and International Organisations: Best Practices and Recommendations

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1 Introduction

In 2013, the European Commission's Directorate-General for Translation commissioned the Law Department of the University of Turin to conduct a study into 'Document Quality Control in Public Administrations and International Organisations' (Ferreri et al. 2013). The aim was to gain an overview of best practices in document quality control at national level and among international organisations. Although the research did not directly consider the EU working mechanism, the resulting recommendations addressed the European Union. The notion of

“document” was broken down into legislation, guidelines, reports, information material and so on. However, at national level, document quality mostly focuses on legislation.

The methodology chosen to integrate the study with an overview of practical solutions was largely based on the results of a questionnaire. The questionnaire was given to respondents in and outside the EU from both monolingual and multilingual countries, and to international organisations (for the full List of Respondents and Abbreviations, see Ferreri et al., 151-153). The team attempted to contact the largest possible number of units responsible for drafting, translating and/or revising different types of official documents. Special attention was given to quality control processes within legislative drafting, given the top-down effect of legislation on the standard qualitative level of everyday administrative communications to the citizens.

Underpinned by unanimous principles such as clarity, transparency, effectiveness, uniformity and coherence, legislative quality depends in practice on efficient procedures, sustained by highly specialised skills, and ultimately on political goodwill. This article focuses on the range of best practices and recommendations that emerged from the study in relation to quality control processes for co-drafting (Section 2), translation (Section 3) and revision (Section 4) within multilingual systems.

With regard to legislative drafting, there is a structural difference between civil law and common law systems. In Anglo-Saxon jurisdictions, primary legislation is usually drafted within legislative drafting offices, such as the Office of the Parliamentary Council (OPC) in UK, or the Office of Legislative Counsel in Washington D.C. It is less common in civil law jurisdictions to have a centralised pool of professional drafters. Legislation is normally drafted within ministries or government departments, or by a committee appointed to the particular task, as in Sweden, or a mixture of both (see France or Spain/Catalan Parliament). Typically, a centralised judicial body will then revise the proposed legislation (for example France’s Conseil d’Etat).

Both models have their advantages and disadvantages. A specialised drafting office is a pragmatic solution in which professional drafters prepare legislative bills. The system is based on the assumption that the legislative output will be a relatively low. If there is increased demand for legislation, this may slow down the procedure, or bring a need for substantial additional resources. On the other hand, when bills are drafted within ministries, the lack of drafting experience, especially when drafters are field experts, may be more difficult to compensate for in the revision phase, especially when this occurs late in the procedure.

2 Co-drafting: A transferable experience?

2.1 Basic features

Among the various drafting methods for multilingual systems and organisations, co-drafting stands out as the most interesting choice, albeit rarely encountered. In broad terms, co-drafting is a method of drafting in more than one language in which the typical distinction between original text and translated text does not apply. Drafts are written in each language as much as possible in parallel, so that no one draft is simply a translation of another language version. This approach requires in-depth comparative analysis of the legal niceties related to each language, and an early breakdown of linguistic and terminological problems.

2.2 The example of Canada

Canada is nowadays the most prominent example of a country with a system of co-drafting in legislation. In this country, federal legislation must be drafted in both official languages, i.e. English and French. In addition, as a legacy of the colonisation of North America, two legal traditions co-exist in Canada: civil law in Quebec and common law in all other provinces and territories (Canada Department of Justice 2015c). This means that common law must be rendered in French and civil law in English, in a manner which is compatible with both legal systems (Bastarache, 2000).

Established in the late 1970s, the Canadian co-drafting model takes the common law approach of having a centralised drafting office, in this case the Legislative Services Branch (LSB) of the Department of Justice. Once legislative proposals reach the LSB, drafters prepare a bill based on instructions from the cabinet and on consultations with the departments involved (Government of Canada 2001).

Drafters and sponsoring departments maintain a high level of interaction throughout the drafting phase. As a matter of fact, according to the Canadian Cabinet Directive on Law-making, the departments sponsoring the bills should be able to give instructions in both languages, to respond to questions about the proposed legislation from drafting officers in either language and to critically evaluate drafts in both languages (Canada Department of Justice 2015).

Within the LSB, Francophone and Anglophone drafters work in tandem to simultaneously draft in English and French. Drafters may decide not only on the language but also on the very structure of a piece of legislation. Neither version is subordinated to the other nor is it a translation of the other. Although they need not be parallel at the level of paragraphs or subparagraphs, an effort is made to arrive at an aligned structure of provisions. Both versions must include the same headings, sections and subsections (Government of Canada 2001).

Throughout this process, advice may be sought with respect to linguistic, bijural or legistic aspects of the drafts. In addition, once a draft has been finalized, a revision process is carried out by a revision team, including lawyers, editors and jurilinguists. In particular, the jurilinguistic revision ensures linguistic adequacy and the equivalence of both official versions of legislative texts. The bijural revision ensures that legislative texts that involve provincial private law are compatible with both the common law and civil law systems. Finally, the legistic review involves the consistent application of drafting standards. (Canada Department of Justice 2015a).

The Canadian Legislative Services Branch comprises around 200 staff, including 110 legislative counsel who are directly involved in drafting legislative texts, and 30 other legal counsel working in advisory, bijural revision or training roles; the rest work as revisers, jurilinguists, and in legislative publishing (Canadian Department of Justice 2015a).

According to a recent survey, individuals from different groups within the administration at federal and provincial level said they were satisfied with the co-drafting process. LSB staff who were asked generally took the view that the current co-drafting model was effective (Canadian Department of Justice 2015a).

2.3 The example of Switzerland

In Switzerland, all drafts of official documents have to be prepared in three official languages (German, French and Italian) before they are submitted for approval. Drafts are usually prepared within the government departments, and not in a centralised drafting office. The Swiss Federal Administration is multilingual. The majority of administrative staff, about two thirds, are native speakers of German, a minority is French speaking, and an even smaller minority is Italian speaking. All of them are expected to know at least one other official language. Since mother tongue is typically used when drafting texts, most drafts are written in German. Consequently, the other versions are usually the result of translation (Lötscher 2009, p. 384).

However, with regard to primary legislation in French and in German, the Swiss model goes beyond the two-phased cycle of drafting and translating, towards a co-drafting or, more precisely, a co-revising approach. In the case of primary legislation, an intermediate stage of revision and text control takes place during the consultation process. This revision is performed by the Internal Drafting Committee of the Federal Administration (German: *Verwaltungsinterne Redaktionskommission*, VIRK / French: Commission interne de redaction, CIR). This interdisciplinary and interdepartmental body includes linguists from the central language services of the Federal Chancellery and lawyers from the

Federal Office of Justice. The VIRK is involved, as mentioned, during consultations with the federal offices in charge of drafting the legislation, but it is often contacted earlier in order to discuss any drafting issue (Schweizerische Bundeskanzlei 2015).

In practice, two linguists and two lawyers are usually assigned to each draft, in each case one German speaking and the other French speaking. The text versions of the two languages are discussed in parallel, both for content and style. The revision committee is free to submit proposals and comments on the text, including observations on substantial loopholes and textual or logical inconsistencies (Lötscher 2009, p. 385).

The German and French language units within the VIRK, with the legislative support of the Federal Office of Justice, ensure an accurate and independent revision of federal proposals at any early stage in the legislative process. The linguistic quality of texts is assessed with particular attention being paid to the structure, clarity and linguistic precision of drafts, as well as coherency of content and terminology. In general, once the VIRK has finished its examination, a joint meeting is held with the office sponsoring the draft in order to discuss any outstanding issues and to find common solutions. What is most interesting is that within this committee, the French and the German versions become equivalent, irrespective of which language the text was originally composed in (Switzerland/FC-Italian Division, Ferreri et al. 2013, 189).

2.4 Co-drafting attempts in other countries

In some of the other countries examined, co-drafting appeared more as a recommended option for certain documents (e.g. Belgium, South-Tyrol), or is still at an experimental stage (e.g. the Basque Country) (Ferreri et al. 2013, 190).

In Belgium, co-drafting in Dutch and French is recommended for State legislative bills, decisions and orders, as well as decisions from the Brussels Region and from the Common Community Commission (the German version for the minority speaking that language is generally a translation). As in the previous cases, when co-drafting is required, neither version should be a mere translation of the other language. The drafting of each text should take place at the same time, with each drafter writing in his or her language, and checking the concordance of the version in each language. However, as mentioned, this drafting model appears to be a recommended option rather than an established procedure (Conseil d'Etat, Belgium, 2008).

The Basque Government began to introduce bilingual drafting techniques in 2008. The Governing Council of the Basque Government approved the *Criteria for using the official language and bilingual writing techniques*; co-drafting was

one of various options introduced as a special technique for writing administrative texts in Basque and Spanish. However, according to the respondent, the use of co-drafting had not yet been standardised, so that the drafting process in Spanish, with subsequent translation into Basque, remains the most common procedure. In this case, the work is handled by the official translation services. The official translation services (IZO) of the Basque Government are seeking alternative solutions, such as tutored translation, and linguistic editing of legal writing. This should at least ensure a certain interaction between translators and legal drafters (Ferrerri et al. 2013, 191, 193).

2.5 Recommended best practices

Building on the collected best practices within multilingual contexts, co-drafting appears the best option for achieving legislative quality, in terms of precision, uniformity and legal certainty of provisions in more than one language.

With co-drafting, comparative issues are discussed gradually, and related terminology is defined while the process of setting the rules is still ongoing. By writing with a constant focus on the results of communication between languages, it is possible to avoid some of the hurdles that are encountered when an established text has to be transformed using the conceptual categories of the target language (Ferrerri et al. 2013, 196).

As observed by the respondent in South Tyrol, '[co-drafted] texts automatically use a less complicated, less formal language, because they have passed through an initial filtering process'. It would seem that results become less convincing when a text is first drafted in one language and later translated, as the risk of such texts sounding 'translated' becomes much higher (Ferrerri et al. 2013, 192).

On a different note, the choice to draft in one language and translate into the other official languages generally reflects a certain hierarchy among languages, either based on linguistic demography or on cultural or legal habits.

So far co-drafting has not been tried with more than two languages. In Canada, the country which leads the way in this method, co-drafting is embedded within a system based on a centralised drafting office. Would it be possible to use this model in a context where there is a much larger number of official languages, such as the European Union, and without a centralised drafting unit? It seems rather unlikely. This would require a significant effort to adapt the organisational structure, and possibly additional resources.

On the other hand, keeping the EU in mind, the Swiss VIRK model could be worth considering in a pilot project with more than two languages. In practice, the original draft, most likely in English, could be translated immediately into a

given language combination. This combination would include languages from the major legal systems (i.e. common law and civil law), and from the main linguistic families (e.g. Romance, Germanic, Slavic).

Once ready, the original and the translated versions would be submitted for revision. The revising committee would include linguists and lawyers from each language within the combination. Reviewers should be given the opportunity to make suggestions and discuss modifications to the linguistic and legal content of the texts. Moreover they should be able to discuss them with each other and with the drafters. In any case, the original version should not be regarded a priori as superior to the others.

As a result, translators of the remaining official languages would then be able to refer to a number of co-revised language versions, besides the English one. Among them, one version would be close to their legal system and at least one other to their linguistic family. For example, the Italian version could be a reference for the French translator, both being romance languages, i.e. with similar features, and embedded in civil law systems, i.e. with similar legal concepts. This should help to avoid some of the problems that translators typically encounter, as we shall see. Transposition of European legislation into national law might also gain from this model. From an organisational perspective, adding this intermediate step would certainly lengthen the current procedure. On the other hand it could be regarded as an acceptable trade-off if we consider the serious implications of having terminological and conceptual discrepancies among the different linguistic versions of the same piece of legislation.

3 Translation: The acid test for a good draft

3.1 Basic features

In all other multilingual contexts that were considered, the option of drafting in one official language and then translating into the other official language(s) appeared to be the preferred solution. From the point of view of translation, the notion of quality acquires more linguistic weight, walking a fine line to balance faithfulness to the original, and elegance of the target language.

The main problems that translators might encounter are related to general understanding, due to the ambiguity of the source text, to terminology, and style. When it comes to general understanding, professional translators know that one way to determine whether a text is well written is to translate it into another language: ambiguities and inconsistencies immediately come to light in translation. But translators typically are not given much opportunity to discuss structural or content issues with drafters. This is possibly the most significant difference between translation and co-drafting.

Furthermore, the different nature and structure of languages may have an impact on the translation. For example, according to our respondents in South Tyrol and Switzerland, differences in morphology between German and French or Italian create constant difficulties, as the latter two languages often need to resort to paraphrasing where German uses compound words (Ferreri et al. 2013, 208). At legislative level, another significant problem for translators is that of transposing a term relating to a concept belonging to a legal system for which there is no equivalent in the target system (Belgian and Spanish/Catalan respondents, Ferreri et al., 208). Here a whole range of issues arises when transposing EU legislation containing legal terms which do not have clear equivalents in the specific national system (South Tyrol, Ferreri et al., 208).

Based on this premise, the opportunities for interaction between drafter and translator become a key factor in the quality of the overall output. According to our survey, translators are generally able to ask for clarifications or advice, acting through quite informal channels of communication, contacting drafters or other experts in the course of the translation work, especially if the text is difficult or unclear (Finland and Belgium, Ferreri et al., 194). In some cases, mainly in the phase before delivery, translators may also attend drafting committees or discussions on amending translation (European Court of Human Rights, ECHR; and Organisation for Economic Co-operation and Development, OECD, Ferreri et al., 194).

3.2 Interaction of drafters and translators at national level

The Italian Division of the Central Language Services (SSI) in Switzerland provides an interesting example of the direct involvement of linguists in the legislative drafting process. The Division consists of a Translation and Editing Section and a Legislation and Language Section. The Division oversees the preparation of the Italian version of official texts of the Federal Council or the Parliament, from the draft of the Federal Council to the final vote in Parliament. It also participates permanently in the work of the Parliamentary Committee on Italian drafting. The reason why the SSI has this special and autonomous role is mainly due to the legislative process, which involves *de facto* bilingualism in the preliminary work and *de jure* trilingualism in the final legislative outcome (Switzerland/FC-Italian Division, Ferreri et al. 2013, 194).

Further north, in Finland, legislative texts are generally drafted in Finnish and then translated into Swedish as part of the legislative process. In the case of major drafting projects where the translation work is shared among a number of translators, towards the end of the translation project, translators, drafters, revisers, and legislative instructors from the Ministry of Justice may come to-

gether before the translation is finalised to discuss problems encountered in the text. This channel is bidirectional, so that drafters can modify the original to correct inconsistencies, obscurities or direct errors pointed out by the translator. For legislative proposals set out in the Government Programme, a translator could also be assigned to the process right from the beginning. The translator could thus participate in preparatory meetings and start terminology work in good time before the actual translation phase takes place. However, it seems that no proposed legislation has so far benefited from this opportunity for increased cooperation with translators (Finland, Ferreri et al., 194).

3.3 And within international organisations

Within international organisations, translation is essential in order to interact and communicate with the outside world. The main distinction is between institutions producing binding legal instruments such as treaties and regulations, and those producing ‘soft law’ or model legislation, to be further transposed and implemented by member countries. Typically individual departments are responsible for drafting their own documents, while the coordination of editing, translation and revision is usually centralised within a separate service or department (OECD, United Nations Office at Vienna, UNOV, and Unidroit, Ferreri et al. 2013, 220). In the international courts, coordination for judicial texts is ensured by ‘senior case lawyers’, who also approve the final version (ECHR, Ferreri et al., 220).

The presence of a ‘dominant language’, usually English, is quite evident, with translation services working mainly to provide other language versions (Unidroit, UNOV, Ferreri et al., 195). Sometimes, members of drafting committees may agree on black-letter laws in the various languages, and such committees may be composed of different mother tongue drafters (Unidroit, Ferreri et al., 195). Authors often do not write in their native language. Typically they are experts in the subject field and tend to focus more on concepts than on clarity. In such cases, the source texts should be edited by linguists, otherwise translations may easily be of better linguistic quality, being written by language experts, i.e. translators (OECD, Ferreri et al., 195).

Within the largest multilingual international organisation, the United Nations, translation appears to be largely centralised within the Department for General Assembly and Conference Management under the UN Secretariat. This department is responsible for all matters related to documentation, including translation and general language management. It is responsible for issuing over 200 documents a day in the six official languages. Within the Department, the Documentation Division includes the translation services for the six official

languages. The Division ensures linguistic concordance among the six official languages for resolutions, decisions and other legal instruments. It also issues editorial directives to the UN Secretariat. The Division provides reference and terminology services for authors, drafters, editors, interpreters, translators and verbatim reporters. It develops terminology databases that are available to users within the UN system and to the general public. UN translators, like their EU colleagues, are often required to work with tight deadlines and at the same time to produce translations of the highest standards of quality and accuracy (CAO & ZHAO 2008).

3.4 Recommended best practices

Moving towards the option of drafting in one language and translating into the other(s), two factors seem to acquire importance as regards quality: timing and interaction. Not only lawyers, but also linguists should be included, even informally, at a very early stage in the drafting process. This would allow them to be involved in the preparatory work and therefore gain better awareness of content and terminology. Moreover, it would also afford a two-directional cooperation, where translators could advise drafters on linguistic matters.

In a multilingual dimension, close interaction between drafters and translators should be regarded as the basis for genuine respect of the nature of each language and each legal system involved in a legislative process. It would allow for a more critical approach to wording and syntax, and enhanced concordance among language versions. Regular meetings between drafters, editors and translators should be formally arranged within a multilingual drafting cycle, to clarify and reconcile terminology issues, target audience, specific legal issues and any other aspect that should not be 'lost in translation', or worse, misunderstood.

More importantly, all these aspects should not be delayed to the later stage of translation: not only would this entail a potential loss of uniformity and clarity among language versions, but it would subject a delicate part of the drafting process to the time constraints under which translators usually work.

If such interaction between drafters and translators is not possible, or not planned, translators should receive, along with the source text, useful explanatory material, providing clarification of difficult passages or any other technical concept; where possible, explaining the reasoning behind solutions that sound ambiguous, signalling any legal aspect which should be taken into consideration according to the target legal system, outlining acceptable solutions.

While they must ensure a certain level of alignment, translators should be trained (and allowed) to avoid translating *sentence by sentence*, with strict adherence to the same structure. For their part, drafters should receive ad hoc training

on how to write documents that will be translated. For example, they should be trained to prevent misunderstandings as much as possible (e.g. no ambiguous expressions).

Work premises should also be organised in such a way as to allow direct contact between drafters and translators, at least via e-mail or by telephone. Within national administrations, contacts between drafters and translators are generally informal. On the other hand, the United Nations and the European Union have created support services for translation to cope with translators' needs. Considering the volume of pages that must be translated each day, services that deal with all the issues related to translation are certainly necessary. However, this work structure should not result in a *de facto* loss of contact between translators and the authors of the source texts.

Furthermore, translators should be able to interact with specialised external networks, allowing for the exchange of information and necessary technical consultation.

In general, amendments and further versions may contribute to excessive vagueness or ambiguity in source texts and should therefore be avoided if possible, especially once the legislative draft has reached translation stage.

In times of budget cuts, an efficient use of translation tools could also help improve quality and save money. The regular and proficient pre-treatment of texts using translation memories should save precious time for translators and allow for a certain level of terminological uniformity. The EU is already implementing this kind of support (Ferreri 2014). Outsourcing could also be reduced thanks to the efficient pre-treatment of documents (OECD, Ferreri et al. 2013, 207).

Managing all the available drafting and translating sources on a common online platform could facilitate access to information, templates, terminology and guidelines for both drafters and translators. This platform could contain language-specific sub-sections and should be regularly updated with linguistic and terminological news, as well as any other useful information regarding the evolution of the language concerned. This system would allow all members of a language service to be equally informed about any convention or formal approach to common linguistic issues agreed within the service. Moreover, it would help new team members to integrate. With due consideration to confidentiality issues, online platforms, tools and guidelines should also be made available and easy to access for external editors and freelance translators.

4 Revision: The underlying premise of document quality

4.1 Basic features

In terms of document quality control, revision appears to be the basic best practice for both mono- and multilingual contexts. In broad terms, 'revision should guarantee final quality via a series of actions which, endorsing or improving the text, result in the best possible rendering' (DG-Translation 2010).

In practice, revision acquires different features depending on when it occurs during the document cycle. In legislative contexts, according to the survey, revision may be carried out once the ministerial draft has been prepared, as is the case in various civil law systems, or in addition to the work of the specialised legislative counsel, within the Westminster model. Revision may also be carried out by a separate function or unit, typically not directly involved in the drafting stage (usually within the Ministry of Justice or the Cabinet Office). In Canada and the UK, bills are subject to thorough internal review both as to substance and accuracy of language. But they are also subject to checking by the departmental lawyers who instruct on them (UK/Office of the Parliamentary Counsel, Ferreri et al., 213).

A second model of revision, closer to proofreading, intervenes at a much later stage. This final control sometimes consists of multiple proofreading and a formatting check (Switzerland and Italy/Parliament, Ferreri et al. 2013, 214). To this end, professional proofreaders and a publication office may also be involved (US/Legislative Counsel, Ferreri et al., 214).

In charge of revision, we may find internal linguists and legal advisers (Spain/Catalan Parliament, Ferreri et al., 213), or different types of experts (Israel and France/Juriscope where publication is authorised after the academic expert in comparative law has approved the translation, Ferreri et al., 213).

4.2 The example of Sweden

At national monolingual level, a prominent example of centralised revision is provided by the Swedish Government. This country builds on long experience, starting back in the 1970s, in line with the policy of transparency and modernisation that Scandinavian countries were the first to adopt. Here systematic quality control of all draft legislation and new bills to parliament is carried out by the Secretariat for Legal and Linguistic Draft Revision in the Swedish Cabinet Office. This task is performed by language experts and lawyers working as a team, checking the quality of texts from all the ministries. The final revision, produced one or two weeks before the Parliament decides on the text, is an important checkpoint. However, according to our respondent, at the final revision stage it is possible to deal only with sentence structure, archaic or misleading words, phrases

and forms, syntax problems and other detail, while the content is more difficult to change (Ferreri et al. 2013, 211).

In order to cope with this limitation, a comprehensive corpus of guidelines and instructional material has been developed over a several decades of practical experience (e.g. among others the so-called Black list appeared in the 1980s, showing formal and difficult expressions alongside their more comprehensible alternatives). In addition, the Secretariat organises training for legal drafters, and works with legal committees appointed to redraft legislation. Drafters must also follow the guidelines when drafting amendments. In case of substantial amendments, the language of the amended article must be modernised as well, if necessary. On the other hand, if they are called in by the promoting ministries at an earlier stage of the legislative process, lawyers and linguists may intervene on the structure of provisions, making them easier to navigate through, for example by means of content lists; informative headings; short summaries at the beginning of each chapter; bullet lists where appropriate; and more information in references (Ehrenberg-Sundin 2004).

4.3 The example of South Tyrol

An interesting bilingual example of cooperation between lawyers and linguists in the phase of revision comes from South Tyrol. In this Italian region, the whole body of laws appears in two languages, Italian and German (Ferreri et al. 2013, 213). Here the Provincial Office for Languages in Bolzano is an important actor within the legislative process as it not only deals with the translation of texts into German or Italian, but also with legal/linguistic equivalence between the two versions.

At a provincial level, once the document is drafted by the experts in the Administration, it is sent to the Legal Affairs Division. A lawyer makes his or her comments and modification proposals on the document, which is then forwarded to the Division's linguists for proofreading.

Time pressure, however, is a key variable. Certain drafts, such as important amendments of laws, are extremely urgent and must be drafted and checked on the same day. Others are less urgent, so translators can discuss ambiguities with drafters, and drafters can then ask the Legal Affairs Division's staff (linguists and jurists) for linguistic/legal advice.

4.4 Revision in international organisations

Within international organisations, revision may be carried out by members of staff or members of drafting committees and its effectiveness generally depends on individual skills (Unidroit, Ferreri et al. 2013, 214). However, in these organisa-

tions, which often have to deal with authors that are not writing in their native tongue, the editing of the original texts acquires additional significance. Important publications are usually edited and administrative staff may make a final check to ensure completeness (OECD, Ferreri et al., 214). Documents that are to be published may undergo an additional process involving copy-editing and proof-reading, typesetting and final proofreading (UNOV, Ferreri et al., 214).

Within the United Nations, this task is performed by the Editorial Control Section. Editors must ensure that United Nations documents comply with editorial rules, models, and other drafting guidelines. Quotations and references must be verified, documents must be clear and consistent, and the language must be appropriate for the target audience. UN editors correct factual, spelling and grammatical errors, and align the structure and style of documents with agreed formats. In particular editors in the Editorial Control Section make sure that the UN documents in all six official languages are equally authentic. They correct texts in an editorial process called 'concordance', in which Arabic, Chinese, English, French, Russian and Spanish editors work together in teams to bring each language version of a resolution or decision into line with a master text (United Nations, Language Careers 2015).

4.5 Recommended best practices

Overall revision should be formalised within the document cycle. Although a legal background emerged as an asset for those in charge of legislative drafting, clarity also requires a strong command of one's native language. The introduction of a linguistic revision into the quality control cycle is therefore highly recommended.

In the words of our respondent from the Language Revision Section of the Swiss Federal Administration, 'In order to provide a high level of text quality, the linguistic dimension of bills must be taken into consideration from the beginning, planning the activity so that language specialists are involved throughout the drafting process.' (Ferreri et al. 2013, 193).

Internal revision should be performed in the appropriate circumstances and requires sufficient time, experienced revisers and good access to reference materials. In important projects, either all revisers involved should be put in contact with each other or the whole revision should be assigned to one single reviser, to ensure uniformity of terminology and style.

When the task of a legislative committee is to redraft or consolidate/recast old and complicated legislation, one or more language experts (also depending on the number of languages involved) should join the committee and work for it on a regular basis.

On a different note, revision may not suffice unless it is counterbalanced by adequate drafting skills among the authors themselves. Hence, especially when drafting is considered a general function, authorities should plan adequate resources to carry out systematic training for drafters, including study days and thematic seminars and updates on plain language principles, drafting techniques, and structuring of provisions.

Regular training and updating should also be planned for drafters and translators on the use of the available tools, of templates, handbooks and style manuals, and terminological databases. Such training should specifically involve newcomers within an office.

Training that focuses on tools for drafters and translators should also serve as an introduction to the use of all reference documents and material available. All sources and materials should also be ordered according to a clear hierarchy, and logically related. This didactic approach should not neglect a 'learning by doing' method, consisting of an internal revision by more senior drafters.

From a different perspective, the training of drafters could draw some contribution from cognitive research, in terms of analytical understanding of the processes involved in the act of reading. An understanding of the cognitive processes could help to identify ways to make a text more accessible. For example, fluency plays a significant role in determining which mental operation is used for information processing. In order to produce a fluent text, subject and verb should be placed as close as possible to the beginnings of sentences. In addition, readers display better recall when sentences clearly flag relationships between elements, and when events in the text correspond to the chronological order of the events they represent. The introduction of key words in a text at the outset of a paragraph should thus enhance readers' comprehension of the entire paragraph (Ferreri et al. 2013, 142ff).

This has a clear impact in multilingual drafting. The division of information into articles and sections, even though it theoretically makes the text more understandable, actually demands additional effort from the non-specialist reader, who is not used to reading highly structured texts. A consistent drafting style should also be recommended in order to avoid continuously challenging expectations. However, interestingly, it has been observed that more cognitive engagement, i.e. less fluent reading, leads to deeper processing, and subsequently better retrieval (Oppenheimer et al. 2011). In any case, before introducing novelties with the intention of making texts easier to understand, one should assess the costs of innovation, particularly the learning curve (Ferreri et al. 2013, 142ff).

5 Conclusions

During the study carried out for the European Commission, many examples were collected from which it was possible to devise a range of best practices and recommendations with regard to document quality control.

However, the human factor has emerged as a prerequisite for any model. Document quality cannot be ensured without involving linguists and legal experts, or specialised drafters, in the document cycle. The sooner these professionals are allowed to participate in the process, the better for the final outcome.

As a consequence, interaction among these actors should not be left to individual chance, but formally integrated in the procedure. Continuous professional education and training for drafters, translators and reviewers is essential to sustain any process of document quality control. Among individuals, this means attentive collaboration, a certain degree of pragmatism, and ultimately respect for the target reader, the citizen.

With regard to the structures that have been analysed, the Canadian co-drafting model and the co-revision of the Swiss VIRK commission emerged as prominent examples of how to adapt a legislative process in order to control document quality, within a multilingual environment. In this respect, some proposals have been put forward regarding the transferability of these models into a multilingual context such as the European Union.

As a final remark, a certain trend toward centralisation could be observed. Canada, has opted for the Anglo-Saxon model of the centralised office of legislative counsel. In Switzerland too, the VIRK performs centralised co-revision of departmental drafts.

Interestingly, in Poland, which is a civil law jurisdiction, a solution similar to the Office of Parliamentary Counsel has been introduced with the reform of the legislative process in 2009. The new Government Legislation Centre (GLC) is in charge of drafting and editing of legislation (Rządowe Centrum Legislacji 2015). Before the reform, bills were drafted within ministries. At present ministries prepare a 'Project of Assumptions' and the GLC then drafts the bill (Berek 2011). It will be worthwhile in the coming years to observe the direction that will be taken by other countries.

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Résumé

En 2013, la direction générale de la traduction de la Commission européenne a chargé la faculté de droit de l'Université de Turin de mener une étude sur le contrôle de qualité des documents dans les administrations publiques et les organisations internationales. L'objectif était d'obtenir une vue d'ensemble des meilleures pratiques dans le domaine aux niveaux nationaux et à l'échelle internationale. Le présent article reprend une série de conclusions et de recommandations émises par les auteurs du rapport pour les processus de rédaction, de traduction et de révision des textes législatifs dans les systèmes juridiques multilingues et présente les pratiques adoptées dans les pays étudiés.

Zusammenfassung

Die Generaldirektion Übersetzung der Europäischen Kommission hat das Rechtswissenschaftliche Institut der Universität Turin (Italien) im Jahr 2013 damit beauftragt, eine Studie zur Qualitätskontrolle von Dokumenten in öffentlichen Verwaltungen und internationalen Organisationen durchzuführen. Ziel war es, einen Überblick darüber zu gewinnen, welche Vorgehensweisen sich auf nationaler Ebene und in internationalen Organisationen bei der Qualitätskontrolle von Dokumenten besonders bewährt haben. Der vorliegende Beitrag stellt denjenigen Teil der Resultate und Empfehlungen vor, der die Verfahren der Redaktion, Übersetzung und Revision von Gesetzestexten in mehrsprachigen Rechtssystemen betrifft. Dazu werden konkrete Beispiele aus den verschiedenen Rechtssystemen besprochen.