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WORKING WITH BILINGUAL CORPORA TO ENHANCE LEGAL TRANSLATION COMPETENCE

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Abstract: *Although there has been harmonisation work on translator training, different programmes still show a different focus. The current paper frames a training project aiming at developing Master's students specialised translation competence while working with bilingual corpora and exploiting technology. Legal translation corpus design, analysis tools and false-friend management are addressed so as to provide further insights into such recurrent matters.*

Keywords: *CAT tools, Corpus-Based Translation Studies, legal translation competence, professional development, translation training*

1. Introduction

Once ratified as an occupational standard with the foundation of FIT (*Fédération Internationale des Traducteurs*) in 1953, the promulgation of the *Translator's Charter at Dubrovnik* in 1963 (which contains the translator's code of conduct) and the *UNESCO Recommendations of 1976 in Nairobi*, the profession of translator gained higher trustworthiness, prestige and authority. However, the profile of the contemporary translator has constantly undergone inflation and updates. Over the last decades the translation spectrum has accommodated novel expressions and missions premised by a globalised technological torrent. Commissioned by streaming offer requests for intercultural communication and dissemination, contemporary translators witness the emergence of hybrid text types from literary texts to economic, technical, medical and legal ones. Concurrently, the subject area of Translation Studies has been developing steadily since the 1950s–60s, both as academic syllabuses, as well as quality professional standards that triggered the design and implementation of customised translator training programmes. Resultantly, translators' job descriptions rounded both quantitatively and qualitatively to meet current labour market career profiles.

Under the circumstances, the “bilingual mediating agent”, as defined by House (1977:27), embarks upon a longline professional workout to improve and promote her/his multifaceted translation competence, an umbrella concept that encompasses different degrees of experience and/or training, as postulated by Dimitrova (2005:16). Aiming at systematising a development algorithm for the contemporary translator's competence to which both trainees and experts would adhere, scholars and practitioners designed and prescribed various operative models. Today, most training programmes have adopted Toury's (1995:190) panoptic formulae, in the effort to secure an authentic linguistic and extralinguistic transfer, subject to the constraints posed by the extent of the individual's knowledge of the respective languages. Other models, more analytical, capitalised various competences or sub-competences to generate an efficient professional developmental process. Hence, it is worth mentioning the model designed by Orozco and Hurtado Albir (2002:376), actuated by six interrelated sub-competences: a communicative bilingual competence for real-life purposes, extra-linguistic competence, transfer competence, instrumental competence, psycho-physiological competence and strategic competence.

Similarly, the 2003 PACTE GROUP (Beeby, Fernández Rodríguez, Fox, Hurtado Albir, Neunzig, Orozco, Presas, Rodríguez Inés and Romero) put forward an integrated model to develop the *translator's competence*, or the *expert knowledge*, as defined by the group members. The prospects envisaged by the PACTE GROUP target the escalation of the contemporary translator towards a high international status of the profession both “declaratively” (*knowing what/savoir dire*) and “procedurally” (*knowing how/savoir faire*). Under “declarative knowledge” the model brings together the language sub-competence - the translator as a bilingual communicator, *the extra-linguistic sub-competence, bicultural knowledge; encyclopaedic knowledge and subject knowledge* (see Alves 2003:3-4). The “procedural” or *professional knowledge* would link then the individual's knowledge and skills to the practice of translation, developing the translators' ability to apply state-of-the-art technologies, quality assurance standards and marketing strategies (conditions, prices, translation briefs, etc.). To consolidate the model, the PACTE group tag on two other interdisciplinary competences, i.e. *the psycho-physiological sub-competence* and the *strategic sub-competence*. By activating the psycho-physiological sub-competence, translators expand their psychomotor, cognitive and attitudinal resources, while the strategic sub-competence assists them to implement most appropriate problem-solving strategies to manage over any problematic situation.

Fostering longline development of professional translators, the European Master's in Translation (EMT) partnership project between the European Commission (Directorate-General for Translation) and European higher institutions has been successfully implemented since December 2009 to develop master's level translation programmes. Ever since 2007 European experts joined forces to design the EMT translator competence profile – a blanket term encompassing inter-and-cross disciplinary competences as prerequisites for translation trainees and professional translators to meet contemporary professional standards tuned by the fast-growing languages industry.

The 2017 EMT report of the 2014-2019 framework of activities records considerable progress in the multiplication and diversification of training programmes aimed at developing the previously set core competences. Noticeable outcomes have been reported in the upgrading of service provision skills, while machine translation and post-editing have become of central importance. Reflecting the impact of technological progress on the translation profession, further development of dedicated software and CAT tools was adopted as prospective strategy for the 2018-2024 EMT competence framework. Among current directory lines to strengthen translation competence, we highlight the EMT efforts towards digital training sessions on the development of online terminology databases and CAT tools applications. By the end of 2017 a series of interactive web-streamed presentations were disseminated, enabling EMT students to participate remotely and ask questions in real-time, hence, once again, reinforcing the long term EC strategy to develop and enlarge other possible areas of cooperation between universities and the translation industry in research and training.

(https://ec.europa.eu/info/sites/info/files/emt_annual_report_2017_en.pdf)

2. Project setup

In view of the EMT translation competence framework, we set out to implement a training project aiming at developing specialised translation competences of the students enrolled in the Translation and European Legal Terminology Master Programme. The design and the organisation of the project envisaged three developmental phases: a theoretical framing of translation competences, sampling and corpus design, and computer-assisted corpus investigation.

The kick-off of our project was the sketching of the contemporary translator's profile, and particularly the contemporary profile of specialised translators within the field of legal language. Adopting an inductive method, we provided our students with theoretical insights of the EMT framework competences and future prospects and a checklist of specialised

competences, in line with the multi-layered model of translation proficiency recommended by Cao (2007).

Interactively involved in profile sketching, students were asked to design a job description draft and set the EMT multifaceted competences as key recruiting criteria for an in-house translator. Thus, at a pre-selection phase for the position of translator in a multinational company, students established that candidates should comply with the following requirements:

- to possess solid language competences (Romanian - L1 and English -L2) as well as specialised knowledge in order to secure a smooth, natural and an error-free version of the original;
- to be familiar with translation technologies - prior experience with CAT tools and MAT is required;
- to identify, process and draft texts in different formats;
- to successfully mediate over language variations, more specifically in what concerns field-related variation and cultural protocol differences;
- to resort to encyclopaedic knowledge and to come up with resourceful solutions while permanently seeking to mine for information and organise it into thematic maps;
- to prove professional accountability as committedly-oriented towards quality assurance;
- to actively engage in team assignments on translation, while initiating and maintaining socio-professional relations.

Aiming at raising students' awareness of the fundamental approach to translation typology that draws two main professionalization directions (literary and non-literary translation) we paved the way to a comprehensive, contemporary job description for the position of legal translator. We introduced students to some theoretical guidelines on the distinction between what Delisle (1988:64) labelled as the translation of pragmatic texts and the translation of literary or artistic texts. By highlighting the perspective put forward by Sager (1993:23) students gained an insight into the distinction between literary and industrial translation, in line with a classification model based on language use and the division between natural and artificial language. However, we shared the approach endorsed by Snell Hornby (1998:51), who advocates that on various occasions translation categorisation is not a sharply circumscribed territory, but rather an aggregate landscape where the applied measurement units ratify high quality standards and resourcefulness.

After shedding some light on the composite nature of the specialised translation competence, students were asked to integrate particular competences and skills for specialised translators and to round the translator profile to meet the increasing demand for legal translation among the 7.5 billion citizens of the world.

To accomplish this task, we assisted students to feature legal translation as a normative, performative and technical translation practice, in line with the recommendations suggested by Cao (2007). One major objective of our project was to increase students' knowledge on the complex nature and functionality of legal language, governed at the same time by complex linguistic structures and culture-related heterogeneity. Accordingly, students would come to understand that legal translation is a technical type of translation that involves the use of specialised terminology specific to the language for legal purposes.

However, acknowledging the vast spectrum of texts that legal language covers, from statutes to contracts and courtroom testimonies, we adopted the classification introduced by Cao (ibid:21), who distinguishes between the translation of domestic statutes and international treaties, the translation of private legal documents, the translation of legal scholarly works, and the translation of case law. The dominant feature that demarcates each of the above mentioned sub-divisions of legal translations focuses on the function and the ultimate purpose of each SL

legal text in the TL, and especially in the target socio-cultural setting. In light of this we emphasise that beyond the complex nature of legal language, as an instance of frozen, archaic and technical special language, it is the fluctuation of socio-cultural parameters that loop the interface of legal translation as a mediating act between source and target culture individuals. The mission of the legal translator is then to accurately establish the goal of the source text in the target language and its communicative function. Simultaneously, a professional legal translation shall resort to both encyclopaedic as well as specific knowledge to successfully mediate over language variation, securing the cultural accommodation of the source text message into the target language at linguistic, stylistic and discourse level.

On building the multidimensional profile of the contemporary legal translator, students were further asked to incorporate the multi-layered model of translation proficiency as designed by Cao (2007). Thus, potential candidates for the position of legal translator shall undergo a second selection stage. To meet the exigencies of such a position, the candidates need to prove:

- Translational Language Competence - encompassing linguistic, discourse and sociolinguistic sub-competences;
- Translational Knowledge Structures - accounting for the increased awareness of subject-related issues related to the socio-cultural landscape and the target text tenor to secure intercultural and interlingual communication between the representatives of different language communities;
- Translation Strategic Competence - involving trained skills and abilities to process and properly accommodate the above mentioned competence dimensions (see Cao 2007: 41-51).

Observing the prospects anticipated by the 2018-2024 EMT competence framework regarding the development of translators' technological competence, the job description design stage was linked to the following step. We throw the spotlight on the increasingly influential contribution corpus linguistics has brought to language study. Taking a step further, students were familiarised with the use of electronic corpora and software (CTS) to study the dynamics of translation.

Initiated by Baker back in 1993, who acknowledged the added value of corpus-based analysis in translation and put on the map valuable "suggestions for future research", this investigation approach has developed into a highly influential factor that led machine translation, CAT tools and corpus-based terminology compilation to the next level. Recognizing the growing status of corpus-based translation studies (CTS), Laviosa (2003) highlights the beneficial influence of the advancement of both theoretical and practical dimensions of Translation Studies.

In the same spirit, Kruger et al. (2011:5) postulate that CTS is the "major paradigm that has transformed analysis within the discipline of translation studies". Setting interdisciplinary research objectives, CTS chartered new territories on corpora compilation, design and analysis and brought online corpora investigation among today's most common practices applied both to translation and interpreting research. The variety of outcomes provided by CTS validated the application of cutting-edge qualitative and quantitative research tools and resourceful methodology.

The successful implementation of computer-assisted research tools and methodologies that widened investigation perspectives on translation features, translator's style, and norms of translation, translation practice, and translator training and interpreting is highlighted by Kaibao (20016) as well. The author places into discussions the use of corpora in different research areas and the implications of corpus-based translation studies. The in-depth incursion carried out by Kaibao provides us with useful information on generating sustainable outcomes following computer-assisted corpus investigations exported as figures, tables, illustrations and diagrams, as well as prolific discussions on innovative methodological approaches applied to different types of corpora for translation research.

3. Technological input and project implementation

Aiming to test the added value generated by some of the competences listed in the job description, we resorted to computer-assisted investigations of electronic corpora via CAT tools and dedicated translation software.

At the implementation stage, our first step was to assist the students to compile an open electronic corpus. Second year MA students enrolled in the Translation and European Legal Terminology Master Programme were asked to design a specialised bilingual corpus based on a set of pre-established coordinates.

The design parameters set required:

- to select four authentic electronic texts from EUR-Lex - the official website/database of EU law and public documents (<http://eur-lex.europa.eu/collection/eu-law.html>);
- to map out an open corpus that can be further developed, considering that EUR-Lex is updated daily;
- to observe time constraints so as to secure a rigorous corpus-based analysis and solid outcomes.

The selected corpus samples comprised: parallel EN and RO texts of EC Regulations:

- *Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC*
- *Regulation (EC) No 452/2008 of the European Parliament and of the Council of 23 April 2008 concerning the production and development of statistics on education and lifelong learning*
- *Regulamentul (UE) Nr. 1288/2013 Al Parlamentului European și al Consiliului din 11 decembrie 2013 de instituire a acțiunii „Erasmus+”: Programul Uniunii pentru educație, formare, tineret și sport și de abrogare a Deciziilor nr. 1719/2006/CE, nr. 1720/2006/CE și nr. 1298/2008/CE*
- *Regulamentul (CE) NR. 452/2008 Al Parlamentului European și al Consiliului din 23 aprilie 2008 privind producerea și dezvoltarea de statistici în materie de educație și învățare continuă*

The description of the corpus indicates specific sampling and research features:

- Size: EN. 18,855 words/RO. 18,895 words
- Full texts: 2 sub-corpora encompassing full texts
- Number of texts: 4 texts
- Medium: electronic corpora - pdf format
- Text type: legal texts – hybrid
- Language: English and Romanian
- Publication date: 11 December 2013; 23 April 2008

The corpus design and investigation phase was carried out by means of MAXQDA 12 - Software for Qualitative, Quantitative and Mixed Methods Research. Embarking upon a computer-assisted design and investigation of a specialised corpus, students were guided to test to what extent translators' skills and competences improve both qualitatively and quantitatively in terms of resourcefulness, effectiveness and better time management.

The compiled corpus was then transferred within another virtual environment, Ginger Software. This time contemporary translators' multifaceted competence was addressed in terms encyclopaedic vs. specialised knowledge, the development of thematic maps - legal terminology

and strategic competence development, i.e. the storing of specialised target text sub-corpora as sustainable deliverables for further translation assignments.

Designed to train students' legal translation competence, during the implementation stage we tackled the field of legal translation as an interdisciplinary specialised area of translational activity where the previously mentioned tripartite model endorsed by Cao (2007) implies almost simultaneous training and development of translation competence. Within this context, the computer-assisted compilation and investigation phase secured the development of students' translational language competence and their translational knowledge structures. At this stage they were trained and encouraged to carry out in-depth investigations in terms of text typology and language functions, lexical particularities, the transference of culture-related items and further processing of document portraits and frequency lists.

MAXQDA 12 software enables users to import and organise the corpus under investigation in accordance with specific targeted results. Launching a user-friendly interface, the software tools assisted students to develop their technological competence alongside other specialised competences. By encoding the corpus, the students obtained various frequency lists to establish particular features at lexical, syntactic and discourse levels. Such frequency lists can be further exported into Excel sheets, charts and diagrams and used in research studies on translation features, translator's style, translation strategies and translation practice. Also, frequency lists and document portraits of both source text's and target text's cultural loads can be developed and exported in the shape of quantitative and qualitative research reports. Following these computer-assisted investigations, students would simultaneously develop their strategic competence, being able to select, in considerably lesser time, the most appropriate translation strategy validated by the computed results. As a corollary, we increase not only students' resourcefulness and effectiveness, but also the reliability of the results.

We share the perspective that Corpus-based Translation Studies (CTS) opens the door for an integrated approach to develop students' translation knowledge and competence. Hence, the following stage of the project was the transfer of the source texts within the electronic corpus designed in MAXQDA 12 to Ginger Software. Facing the students with a hands-on experience of real-life translation situation, we sought to increase self-reliance and strengthen their translation competences, while activating a higher motivation for professional development and lifelong learning.

Among the innovative tools provided by Ginger Software, the machine translation option proved to increase students' involvement and receptivity when dealing with their translation practice assignment. The language pair once selected, students could witness the almost instant translation of the texts into English. The software enables the users to store both the original texts and the machine translation outcome, which becomes raw material for further translation-related research. At an early stage we assigned students to compare the English-drafted texts, downloaded from the official EUR-Lex website, with the machine translation product. The investigation parameters targeted the translation of specialised lexical structures and the transfer of culture-related items. Hence, translational language competence and translational knowledge structures are trained and developed. Translation strategic competence is also under focus, as students were asked to select the Dictionary option provided by Ginger and to develop their own terminological database. It is worth mentioning that besides the already pre-defined dictionary, as integrated tool of the machine translation option, users have the possibility to add new terms and definitions, a double gain since both the machine translation environment and complex specialised thematic maps can be simultaneously and continuously updated - a sustainable output for further translation tasks. Students become aware that the more translation task they practice via this software, the faster and more solid results they will reach. Other parallel corpus-based translation applications are facilitated by Ginger Software, such as *Grammar Checker*, *Word Prediction*, *Language Trainer* and *Text Reader* - that can be successfully applied to interpreting training as well.

4. Project monitoring

The project was carried out over a period of three months, 1hour per week, as a practical assignment within the two-hour seminar of the Legal Translation course. In what follows we shall provide some of the most notable results achieved by the students at different implementation phases.

At the corpus design phase students were required to create two separate document sets in MAXQDA 12 and import the 4 pdf texts contained in the two sub-corpora.

Following the design phase, students were assisted in the use of different tools provided by MAXQDA 12 in order to develop a corpus-based analysis focusing on legal language lexical particularities and their translation/transference in the TT. Hence, by selecting the MaxDictio tool, a new window opens and generates a diagram of most frequently encountered specialised terms in the English-drafted texts.

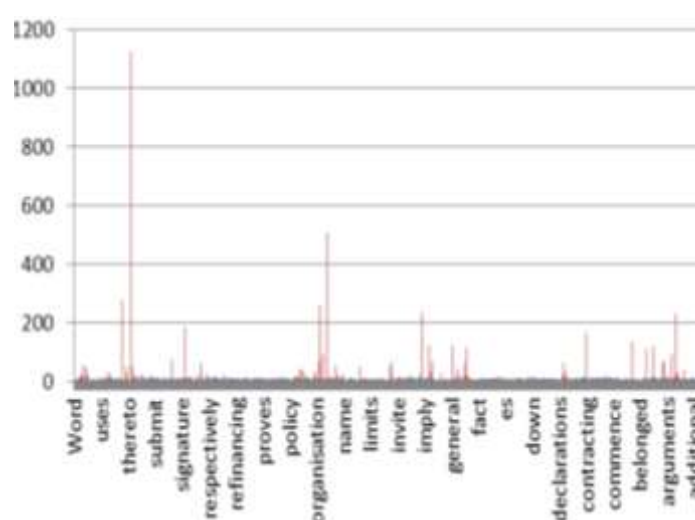


Figure 1. Print screen: term frequency rate per document

Based on the diagram generated by MaxDictio, students were asked to develop further frequency lists and to establish frequency rates for some specialised terms that may occur as false friend instances in the process of translation, such as: performance, execution, in force, effective, completion, prejudice, etc.

Word	Word length	Frequency	%
periodic	8	2	0,01
period	6	38	0,09
performing	10	2	0,01
performed	9	14	0,03
performances	12	1	0,00
performance	11	55	0,13
perform-	8	3	0,01
perform	7	8	0,02
perceived	9	2	0,01
per-	4	1	0,00
per	3	2	0,01
people	6	2	0,01
pending	7	1	0,00
penalties	9	1	0,00
pedestrians	11	4	0,01
peak	4	3	0,01
payments	8	10	0,02
payment	7	41	0,09

Figure 2. Print screen: terms frequency rate on document set

Selecting the Code Relations Browser tool, students had to:

- encode the English-drafted texts using the colour-code below and to mark particular tendencies in the dynamics of false friend transference:
 - blue → false friends – low (tendency)
 - green → false friends – no (tendency)
 - red → false friends – high (tendency)
- generate the code relation, i.e. false friends distribution at text level;
- generate document portraits with regard to possible false friends distribution per document set.

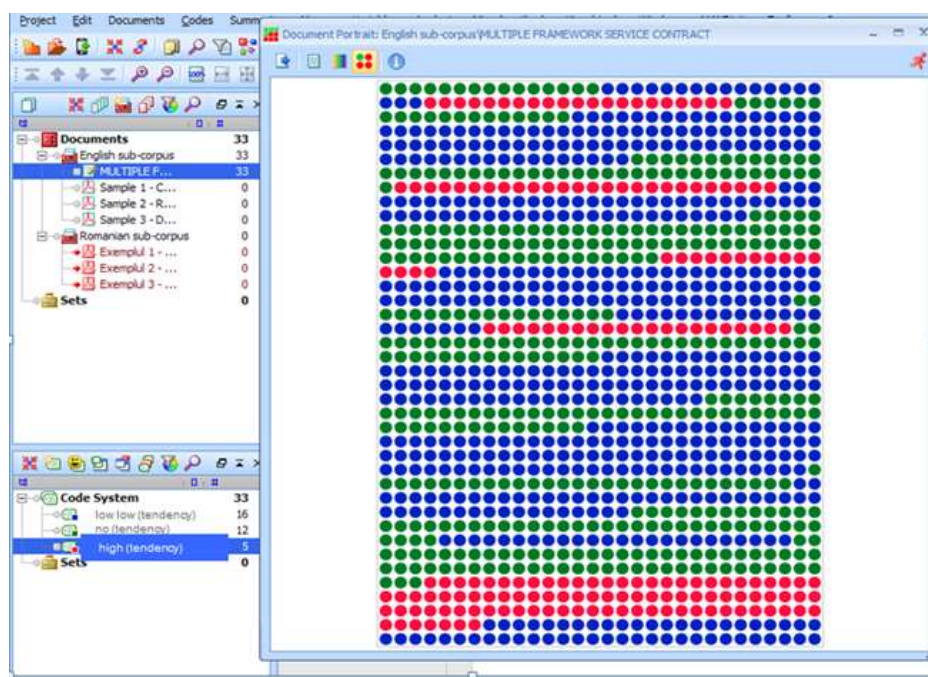


Figure 3. Print screen: document portrait of false friends occurrences

Ginger Software enables users to generate automated translation between forty language pairs, including Romanian. First, the students had to create an account and login. After selecting the RO–EN pair of languages they were asked to import the Romanian-drafted texts from the sub-corpora designed in MAXQDA 12 and to generate the automated translation. Selecting “Favorites” from the toolbar option, they were able to store both source texts and target texts chronologically and to develop an online open corpus that can be accessed any time for revision, further translation or text mining. The processing phase within the Favourites window can be exported as an end-product by means of the document management option, which enables the users to export the clean translation into any type of document (word, pdf, ppt, etc.). The processed outcome can be further stored within the environment or deleted after exporting.

The strategic product management phase was then linked to an in-depth corpus-analysis of specialised lexical items. The Personal Dictionary tool facilitated the students to import the frequency lists of specialised terms generated by MAXQDA and to further design and develop a re-usable specialised word bank. Once the words are imported in the software dictionary, the autocorrect function is activated and synchronised with all documents saved on the computer. The translational competence improves, as students can resort to word-choice and spelling suggestions synchronised with Ginger for all documents drafted on the computer.

Thematic maps development and the strategic competence can be enhanced via other computer-assisted tools that run within the Ginger Translate environment. Students could select

the Synonyms tool and find synonyms for different translation contexts. Also, the Define tool provides the users with definitions of words, securing accommodation of technical terms and culture-related items.

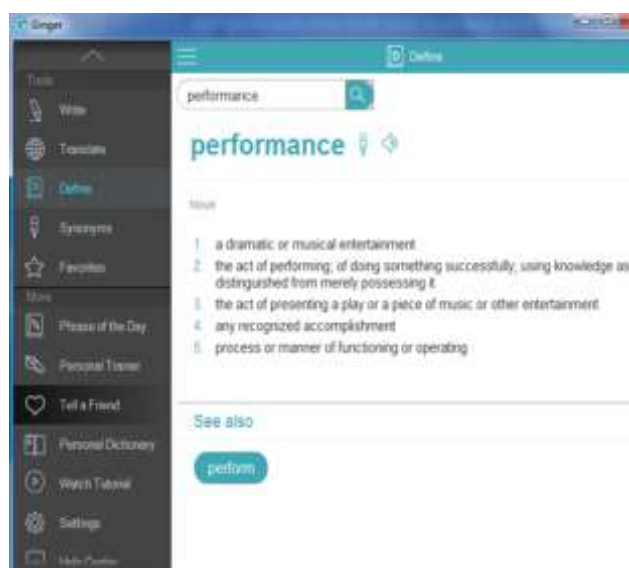


Figure 4. Define: Ginger Tool

Complementary tools of the software can assist an integrated development of translation competences at linguistic, discourse and interpersonal levels. Such tools have been constantly updated within the environment via a user-friendly interface underpinning users' self-reliance:

- Personal Trainer: provides online language practice with personalised practice sessions based on previous detected mistakes;
- Text Reader: can be applied for specific dictionary terms pronunciation improvement or for entire texts (STs and TTs) in interpreting training assignments;
- Tell a friend: facilitates virtual networking and professional cooperation.

5. Conclusion

The follow-up of the project carried out during the seminar for second-year Legal Translation Master's course validates our hypothesis that the multifaceted translator's competence can be sustainably developed via corpus-based translation investigation and dedicated software to meet contemporary requirements of translator job descriptions and translator career profilers.

Adopting an interdisciplinary approach to translation theory and practice, we set out to design a supportive learning environment to develop Master's students' legal translation competence by means of linguistic and socio-cultural investigation of source and target texts.

Challenging our students with a hands-on experience based on real-life translation situations, we aimed at increasing critical thinking and strategic planning applied to the development of a process-oriented research study aimed at establishing specific lexical tendencies and socio-cultural patterns exhibited by legal texts in source and target language. Introduced to state-of-the-art translation technologies, the students were guided to apply both qualitative and quantitative computer-assisted research methods and to compile translation-oriented descriptive analyses by providing critical insights with reference to the process of translation and translation choices.

The monitoring reports of the project implementation recorded satisfactory results as the students managed to carry out quantitative and qualitative comparisons between source and

target texts in terms of linguistic features, cultural loads and frequency rates. By assigning the students specialised corpora design of authentic language samples to comply with the project fit-for-purpose objectives, we contributed to the enhancement of general and specialised translation competences and the development of the technological competence by means of CAT tools and dedicated software.

Targeting sustainable development of translation competences, our project implementation reached its main goals by:

- providing immediate tangible results; students' strategic thinking and technological skills trained via computer-assisted investigations of electronic corpora can be further capitalised for translation-oriented research studies and the preparation and design of their master theses;
- opening the door for further research activities carried out in the field of translation studies via corpus linguistics;
- approaching innovative interdisciplinary research studies in translation-related domains such as: terminology, lexicology, lexicography, etc.;
- raising awareness of lifelong learning and professional training to fit into the fast-growing languages industry and to meet the demands of the translation market.

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