

**POSITION PAPER ON THE REMOVAL OF THE NOTES TO
SECTION 3.1.4 OF ISO 17100**

1. Conclusions and recommendations

Removal of the notes to section 3.1.4 of ISO 17100:2015, as published in May 2015, would not be in the best interests of FIT, its member associations and their individual member translators. FIT and its member associations should take action to prevent the removal of these notes, including by lobbying the members of the national mirror committees to ISO TC 37/SC 5, in the run-up to the DIS ballot on the draft (tentatively expected for June 2016). They should also ensure the widest possible publicity for the negative effects that removing the notes would have on translators, translation companies and translation clients.

In addition, FIT should use its influence to ensure that future standard-setting by TC 37/SC 5 adopts a principle-based approach, rather than a “check the box”, rule-based approach.

2. Summary

Following the decision by ISO to cancel the FDIS ballot on a new version of ISO 17100 with the notes to section 3.1.4 removed and to revert the standard to a pre-DIS draft (30.99) status, ISO TC 37/SC 5/WG 1 is expected to vote on the DIS status of the “no notes” draft in 2016. As things stand today, it is likely that this will happen before or at the June 2016 meeting in Copenhagen, Denmark. Without these notes, which can be considered to be logical, objective and sensible application guidance on the formal requirements of the standard governing translator qualifications, ISO 17100 “fails the reality test” because it could not be applied effectively, consistently and comprehensively on a global scale, and because it would remove a significant proportion of otherwise eligible translators from the scope of the standard – and hence from being assigned to translation projects by translation companies that are compliant with the standard. Equally, it could prevent individual translators or groups of translators from seeking certification under the standard.

Without these notes, ISO 17100 uptake is likely to stagnate, and there is also a risk of a backlash in the translation profession against further standard-setting efforts by ISO if ISO 17100 is seen to be a failure. Additionally, a large number of translation companies have already obtained (or are actively in the process of obtaining) certification under the current version of the standard, which includes the notes (ISO 17100:2015). It is inconceivable that ISO should now be put into the position of being forced to tell these companies that their pool of eligible translators under the standard will be reduced to a significant extent when their current certification expires. This would not only severely impair the usefulness of ISO 17100 overall, it would also significantly and publicly damage the credibility of ISO as an organisation that develops reliable, plannable standards for the translation industry

3. Introduction

When ISO 17100:2015 “Translation services — Requirements for translation services” was published in May 2015, section 3.1.4, entitled “Translator qualifications”, was followed by three explanatory notes that can be considered to be in the nature of application guidance (reproduced in the following).

3.1.4 Translator qualifications

The TSP shall determine the translator's qualifications to provide a service conforming to this International Standard by obtaining documented evidence that the translator can meet at least one of the following criteria:

- a) a recognized graduate qualification in translation from an institution of higher education;
- b) a recognized graduate qualification in any other field from an institution of higher education plus two years of full-time professional experience in translating;
- c) five years of full-time professional experience in translating.

NOTE 1 In some countries translation degrees may be referred to by a different name such as linguistic studies or language studies. If the course includes translation training, it is considered equivalent to a translation degree.

NOTE 2 Noting that the word "graduate" can have differing application in differing educational jurisdictions, in this International Standard it includes the first degree level of academic award issued by a recognised institution of higher education.

NOTE 3 Full-time professional experience means full-time or equivalent.

ISO 17100 is based to a significant extent on the previous European standard EN 15038, which has now been superseded by ISO 17100. The second part of section 3.2.2 of EN 15038 contains the following requirements:

"The above competences should be acquired through one or more of the following:

- formal higher education in translation (recognised degree);
- equivalent qualification in any other subject plus a minimum of two years of documented experience in translating;
- at least five years of documented professional experience in translating."

While these requirements themselves are sometimes seen as controversial (in particular the assumption that a recognised degree in translation is in itself the equivalent of any number of years of practical experience), they have now evolved to the point where they can be regarded as generally accepted principles governing the equivalence of translator qualifications. This is the case at least in Europe, where EN 15038 was developed, but it has also been applied widely in other parts in the world.

It is clear from a comparison of the two standards that, before the notes were added, the requirements set out in section 3.1.4 of ISO 17100 had already considerably narrowed the scope of accepted translator qualifications compared with EN 15038. They are more tightly defined and the language they use is more prescriptive. Based on the information currently available to the FIT ISO Committee at the time of writing, it is unfortunate that there does not appear to be any documentation setting out the justified reasoning for adopting such a restrictive approach, which evidently sought to impose substantially more rigid requirements in a global standard than were in place in a widely accepted European standard. In particular, it is difficult to understand why a new global process-related standard – whose scope is necessarily broad and general in nature – should be less inclusive than its regional predecessor.

4. Discussion of the individual requirements and the notes

- a) a recognized graduate qualification in translation from an institution of higher education;

NOTE 1 In some countries translation degrees may be referred to by a different name such as linguistic studies or language studies. If the course includes translation training, it is considered equivalent to a translation degree.

One of the objections raised to the original formulation was that, in many countries, there are no "translation" degrees as such. Even in major European countries with a long tradition of translator training such as Germany, many translator degrees have traditionally been conferred for fields of study such as "applied linguistics". And of course many students the world over graduate in combined subjects such as "interpreting and translation", "translation and localisation" or "applied languages and [subject-area specialisation]". There was a recognition that restricting the qualification to "translation" was simply too narrow and did not reflect

the reality of contemporary degree courses available across the world. As a standard that is designed to be globally applicable, the addition of this note helps ensure the widest possible relevance of ISO 17100 and hence improves the chances of it being accepted and used by translation market participants worldwide.

Note 1 therefore ensures that there can be no undesirably and unnecessarily narrow interpretation (for example by an auditor) of the phrase “graduate qualification in translation”, and thus ensures that this requirement of ISO 17100 meets the test of global relevance, consistency and applicability.

b) a recognized graduate qualification in any other field from an institution of higher learning plus two years of full-time professional experience in translating;

NOTE 2 Noting that the word “graduate” can have differing application in differing educational jurisdictions, in this International Standard it includes the first degree level of academic award issued by a recognised institution of higher education.

This note actually applies to both a) and b). Again, it removes an ambiguity that potentially restricts the scope and applicability of the translator qualification requirements. This ambiguity results primarily from differences between British English usage (and standard European practice) and American English usage. In British English, “graduate” means a degree at any level, albeit most commonly a first degree (Bachelor’s degree). By contrast, American English generally uses the term “graduate” to refer to what in British English is referred to as “postgraduate”, i.e. a Master’s degree (or equivalent course of study).

As it originally stood, the formulation used in a) and b) could therefore have resulted in a situation where in Europe, for example, all translators with a translation-related degree (a) or any university degree (b) would have qualified, but in the United States (and other countries with the American English usage), only translators with a higher degree or qualification (Master’s or other postgraduate qualification) would have been eligible. The inclusion of Note 2 therefore also merely ensures that ISO 17100 meets the test of global relevance, consistency and applicability.

c) five years of full-time professional experience in translating.

NOTE 3 Full-time professional experience means full-time or equivalent

Considering the universally accepted general formulation in the predecessor standard (“at least five years”), it is difficult to imagine any justification for the prescriptive “full-time” requirement in b) and c). The original formulation imposes a restriction that essentially constitutes a knock-out criterion for large parts of the translation profession (see also “Consequences of removing the notes” below), as it means that translators who have not worked “full-time” years cannot accumulate such “less-than-full-time years” to reach the minimum threshold of five years’ experience. Note 3 therefore also ensures that ISO 17100 meets the test of global relevance, consistency and applicability.

5. Objections to the notes

Based on the documents available to the FIT Committee, the objections to the notes appear to be based on two main grounds: procedural/legalistic and personal/subjective.

Some TC 37/SC 5 members object that the inclusion of the notes in the first place breached ISO procedure. However, it does appear that note 1 was inserted after the DIS vote stage with the full knowledge and agreement of TC 37/SC 5. Note 1 was included in the draft standard starting in June 2013 until the publication of the FIDS ballot. The “qualification in translation” issue was also discussed at the TC 37 meeting in Pretoria, where the Japanese delegation explained that there are no such degrees in Japan and this was accepted by the other members.

However, it appears that Note 1 was subsequently removed (by persons unknown) between the time when the standard was sent to the SC 5 Secretariat and the date of the circulation of the official FDIS version of ISO 17100 for the vote. The removal of the notes was not notified to the members of SC 5 WG 1, and there was no discussion of the unauthorised removal. Consequently, some members believed they were voting for a version of the standard with the notes, and others were voting for a version of the standard without the notes.

Regardless of whatever actually happened (and there appear to be quite heated views on the actual facts of the matter), there now appears to be considerable conflict within SC 5 WG 1 about the procedural issues relating to the notes, which culminated in a vote in early November by a slim majority of votes cast in favour of another FDIS ballot to remove the notes. It should be noted that this majority vote did not include abstentions, in other words it did not represent a majority of the members of WG 1.

From the perspective of an outside observer, there are strong indications that the process followed in arriving at a final standard has been quite dysfunctional in a number of areas, which must be a matter of acute concern for all translation industry participants. Standard-setting without a robust, transparent and auditable due process will never achieve practicable standards that meet the requirements of users of the standards. Again from the perspective of an outside observer, it appears that there has been a significant management failure (or quite possibly failures) in the way the standard-setting process was administered and communicated, and that there is therefore an urgent need to review and modify the way that procedures are applied and that communication within WG 1 is handled.

Some other objections to the notes appear to be based on more subjective, personal grounds, which are entirely unwarranted, undesirable and unacceptable in any standard-setting process – and in particular a process of developing ISO standards, which by their very nature have to be objective, neutral and globally applicable, and should not be exposed at any point to intervention based on personal preference or prejudice.

6. Consequences of removing the notes

Overall, if the notes are removed, there is a significant risk that section 3.1.4 of ISO 17100 will be seen as an attempt to impose an exclusive approach to translator eligibility, whereas any global standard must necessarily be rooted in an unconditionally inclusive approach to all the issues it seeks to address, including in this case translator selection. Global process-related standards such as ISO 17100 must be all-encompassing in their scope. They must therefore be formulated in terms that are as general as possible, not only to underpin their universal applicability, but also (and in particular) to remove any suspicions that they represent an attempt to impose any particular narrow cultural or regional interests.

Specifically, the removal of note a) could result in an undesirably narrow interpretation of the phrase “graduate qualification in translation” to mean only a qualification that mentions (for example, on a degree certificate) the word “translation”, thereby disbaring other perfectly acceptable (and widely accepted) translator qualifications, as well as professionals with e.g. joint translation/interpreting qualifications (which are common). This is not in the interests of professional translators, translation companies and clients/users of translations. Note a) must therefore be retained.

Equally, the removal of note b) would necessarily result in different interpretations and applications of the “graduate qualification” requirement in different countries. This is not only not in the interests of professional translators, translation companies and clients/users of translations, it also clearly violates the principle of global applicability that underlies ISO 17100. Note b) must therefore be retained.

Finally, the removal of note c) opens up several possibilities that have evidently seen little or no discussion within SC 5/WG 1 itself. First, the insistence that professional experience be full time – two years for b), five years for c) – will inevitably rule out significant portions of the translation profession from eligibility under ISO 17100. There are many reasons why many expert, experienced translators who are highly sought-after by translation companies and direct clients alike might not meet the “X years of full-time professional experience in translating” requirement, for example:

- Due to the demographic characteristics of the translation profession, many translators only work part-time after graduating (or otherwise entering the profession) because they are also raising a family. In most countries, this primarily affects female translators, who account for some 70 – 80% of the profession.
- Translators who combine part-time translating with the responsibility of a carer (for disabled family members, for example, or elderly relatives).
- Older translators who cannot work “full time” because of limitations associated with their age.

- Translators with disabilities who cannot work “full time” because of their disability.
- Language professionals who divide their working time between translation and consulting or other professional activities in their area(s) of specialisation (example: lawyer-linguists who also provide legal opinions).

Not only would a rigidly applied “full time” requirement mean that quite possibly a majority of translators for any particular project might fail to meet the ISO 17100 eligibility requirements, any translation company that refused to work together with a translator for any of the reasons shown in the bullet points above could conceivably face claims in some jurisdictions that it is applying discriminatory practices based on gender, age or disability. The same barriers would apply to any individual translators or groups of translators seeking certification under the standard. This surely cannot ever have been the intention of the members of SC 5/WG 1, as it also exposes ISO itself to allegations that it is institutionalising discriminatory behaviour through application of its standard. That is another strong reason why it is in everybody’s best interests to retain note 3, and why FIT cannot accept any other outcome.

Finally, there is also the scenario of the large number of translators who also work as interpreters or terminologists. Although no legal discrimination is involved here, the “full time” requirement simply bypasses the realities of the translation market and the translation profession by introducing a wholly unnecessary, arbitrary and unrealistic requirement.

As it currently stands, the “full-time or equivalent” formulation in Note c) constitutes a cumulative requirement, not an absolute one. Consequently, translators who work part-time (for whatever reason – see examples above) can accumulate their part-time years to arrive at “full-time years”, which is ultimately the measure that actually counts. Note c) must therefore also be retained.

Finally, it should be pointed out that, without the notes to section 3.1.4, ISO 17100 fails the test of global applicability because it does not meet the non-negotiable criteria of comparability, consistency and repeatability. In other words, ISO 17100 must produce the same outcomes, in all material respects, if it is applied in countries A, B and C, and in countries X, Y and Z. Without these notes, not only is ISO 17100 exposed to the risk of arbitrary interpretations with potentially serious adverse consequences for translators, translation companies and clients/users of translations, its scope is also substantially reduced because the number of translators worldwide who meet the strict requirements of section 3.1.4 is only a subset of the translators who can be legitimately expected to be covered by the standard.

Another aspect that is worth mentioning is that this issue is also attributable to a significant extent to the rule-based nature of ISO 17100. This prescriptive, “check the box” approach to standard-setting allows only for a very narrow interpretation of the requirements of the standard, and at the same time exposes the standard-setting process to the risk that particular interest groups with their own special agendas can impose their own subjective will on the final standard.

By contrast, a principle-based approach to standard-setting means that the requirements of the standard can be interpreted to a significantly greater extent, provided that the result complies with the principles set out in the standard. In other words, a principle-based standard expects the user to comply with defined outcomes, without spelling out all of the details of how those outcomes are to be achieved. Especially in a process standard that is designed to be globally applicable, such as ISO 17100, this approach to standard-setting should surely be preferred over a rigid, rule-based approach. Principle-based standards are generally more difficult to develop and to apply than rule-based standards, but they not only tend to produce a better quality of results in practice, they are also almost impossible to manipulate, either while they are under development or when they are being applied. FIT should therefore encourage TC 37/SC 5 to adopt a principle-based approach to developing and revising standards relating to translating and interpreting processes. If ISO 17100 had been developed as a principle-based standard, the whole controversy surrounding the notes to section 3.1.4 might have been avoided in the first place, as there would then have been sufficient scope to allow differing understandings of the appropriate qualifications, as long as the same defined outcome is achieved.

7. Suggested action by readers of this Position Paper

Members of the FIT ISO Committee who wish to contact their national mirror committee can obtain the relevant details from the FIT Council Liaison Member.

Other readers of this Position Paper who agree with its conclusions and recommendations are encouraged to contact their national mirror committee to ISO TC 37/SC 5, urging it vote in favour of abandoning any further work on a new version of ISO 17100 without the notes to section 3.1.4, in other words to ensure that this draft is rejected at the DIS stage and deleted from the TC 37/SC 5 work programme. Equally, readers are encouraged to contact their national or regional professional association of translators and interpreters with a request to lobby the national mirror committee to reject the draft at the DIS stage. The more individual translators, translation companies and professional associations there are who forcefully put their views to the national mirror committees, the clearer the opposition in the profession and the industry to removing the notes will be.

Readers are also encouraged to contact the FIT ISO Committee directly at FIT.ISOCommittee@fit-ift.org with comments (both positive and negative) on the position expressed in this document.