**Human Rights, Democracy and the Rule of Law**

--As seen in the regulation and development of China’s

Language Service Industry

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**The theme of this forum Human Rights, Democracy and the Rule of Law is very interesting and well chosen.** I have been a translator for the last 40 years, meanwhile serving as the secretariat and vice president of the Translators Association of China, all volunteering positions for the last 25 years. I would like to share with you my understanding of the forum’s theme by using the situation of the language service industry in China. As you are ware, translation and interpreting these days are considered the major part of the language service industry, in addition to terminology, language training, localization, and artificial intelligence-related technology.

Though translation and interpreting is a rather old profession with a history of more than 2,000 years, it is increasingly showing its robust youthfulness as it grows with each passing day in the Chinese market. This is a direct result of economic globalization, and the application of IT technology.

Currently 320,000 companies, mostly medium and small in size, offer language services while nearly 10,000 are purely engaged in translation and interpretation. Of the US$35 billion worth of market turnout in the world annually, one seventh is realized in China and China’s share is still growing. The number of market players represents a staggering growth as 40 years ago there were only 18 language service companies in the Chinese market. Together they employ several million people. This growth has brought benefits to many, as it has created a tremendous large number of job opportunities, boosted education in related disciplines, and injected many people in the profession with great pride and a sense of achievement. During one of the bi-annual tests for qualifying to be translators and interpreters, which is an opportunity to improve oneself’s social position opening to all, a physically disabled young lady, Ms Su Xiangyi, passed the test, won an award in a national competition and eventually was able to come out of home to serve as a translator. Today, she is no longer confined to her wheelchair in her apartment but is directly connected with the world, mentally and physically.

Those of us who helped introduce and administer the test feet proud that we can provide opportunities for otherwise helpless and hopeless young people. We consider this a great deed in improving human rights. **To us human rights is not only a concept we should hold dear in our heart and observe as it is written into the national constitution, it means concrete services and actions we perform for the good of people most in need.**

Needlessly to say, the language service industry’s development has not always been smooth sailing. In fact, the growth has been accompanied with intense competition at the expense of quality and the interests of practitioners whether they are translators or interpreters. A problem contributing to the quick growth of language service companies is its low market entry requirement. In many professions, you will to produce enough professional qualifications before you can open your business. Typically in the medical field, unless you have enough certificates to show your professional background, you cannot just launch a new clinic. In language service industry, however, anyone can go, fill in the papers and register a new company. You many have no experience or much professional support, but you can set up a translation agency and immediately begin to do business.

One direct consequence is that when there is a bid for a translation or interpreting job, companies try to beat each other by lowing their bidding. What happens next is not difficult to imagine: lower pay for translators or interpreters and poor translation and interpreting quality. Individual practitioners have complained about being ripped off for their performance, while clients who need translation and interpreting services complained about bad services. In the social media, now and then you read personal grievances from individual translators and interpreters as they have been denied payment.

We in the Translators Association of China have been worried about this situation. Apparently there is a dire need for some regulation for the profession. First we talked to the government agency in charge of registering and approving new companies. We learned that any introduction of market entry requirement must be based on the legal basis and in accordance with the specific law. When there was no law stipulating the language service industry, they could not do anything. **So for the healthy growth in the market place, we first and foremost needed a law. Next we wrote appeals calling for legislation and spoke to the media arousing public awareness and support. We also made our voices heard at the annual sessions of the National People’s Congress and the Chinese People’s Political Consultative Conference, the formal is China’s legislative body while the latter is the highest consultative institution.**

Our efforts have paid off. We were visited by the staff from the NPC who came to our meetings to learn about the situation and explain to us the long process of law making.

We know a law stipulating the operation of the language service industry will not come soon, since it involves careful study of the situation, thorough investigation in the field and review of what has been done internationally. Yet, **we also know democracy does not mean anybody can do anything the way he or she wants.** The translation and interpreting market must be regulated to ensure standard service and guarantee the interests of the practitioners. Language service companies themselves should have sound professional ethics and guarantee the interests not only of themselves but their clients and individual practitioners.

So, unlike in most other countries, one of the unique things in the industry across the globe has happened in China. Standards have been drawn up mostly targeting at maintaining industrial discipline and quality control of enterprises engaged in translation services. Since most of these companies are members of the Translation Service Committee of the Translators Association of China, our association has been introducing professional standards in the absence of national laws to regulate their services to maintain industrial discipline and quality control of enterprises engaged in translation services. Initially, during 2003-2005, we first introduced three standards in regard to setting up translation and interpreting companies. These were not hard rules to be observed but self-disciplines companies were better off to follow in order to gain a good reputation in the market. More importantly these three national standards marked the start of translation service standardization in China, filled the blank of rules and specifications in the Chinese translation service industry, and made tremendous contribution to the management of the translation service industry, the improvement of translation service quality, and the protection of the legitimate rights and interests of customers. However, this is not enough. In the last decade our association has made active contribution to the various fields of translation services and formulated another 11 standards, further and in detail outlining how companies should perform in an increasingly competitive market. They include basic terms and obligations that service providers and clients should enter into agreement, specific standards for translation and interpreting jobs, and even suggested rate of payment and so on. While these regulations and standards are not strong enough to totally change the order of the market, they nevertheless have helped improve the market situation and promote the healthy development of language services.

Ladies and gentlemen: from our experience, we have learned that **in language service industry, human rights mean to safeguard the rights and interests of translators and interpreters, make sure their copyright is dually protected and their work is properly paid. Meanwhile the interests of our clients should also be fully respected and guaranteed. To us, democracy means, through discussion and consultation, to bring together the voices of all those who have a stake and then reach consensus in how to manage and develop the profession. What has happened also indicates that democracy is only strong under the rule of law.** The legal framework not only includes such laws as constitutions and industrial regulations, it also includes specific standards and disciplines to be observed in order to have order and prosperity in the market. **If we all proceed from what we ourselves can do for human rights, democracy and the rule of law, the three factors will not conflict with each other but rather reinforce each other.**

Thank you.

List of Standards

(1) Target Text Quality Requirements for Translation Services (GB/T 19682-2005);

(2) Specification for Translation Service Part 2 Interpretation (GB/T 19363.2-2006); and

(3) Specification for Translation Service Part 1: Translation (GB/T 19363.1-2008) .

(4) Localization: Basic Terms and Concepts (ZYF 001–2011)

(5) Specifications for Quotation of Localization Service (ZYF 001–2013)

(6) Specification for the Certification of National MTI Education and Practice Bases (Enterprises)

(7) Specification for the Certification of Part-time MTI Teachers in Universities from among Translation and Interpreting Practitioners

(8) Specifications for Selecting Localization Service Providers (ZYF 001–2014)

(9) Specification for Quotation of Translation Service (ZYF 002–2014)

(10) Specification for Quotation of Interpretation Service (ZYF 003–2014)

(11) Specifications for Translation and DTP Quality Evaluation (ZYF 001–2016)

(12) Translation Services--Requirements for Translation Services (T/TAC 1-2016)

(13) Competence of Translator and Interpreter (T/TAC 2-2017) and

(14) Guidelines on Procurement of Translation Services Part I: Translation (ZYF 001-2017)