The AIIC resolution on interpreters in war and conflict zones

Thoughts towards a new ethical, contractual and political understanding with society.

Eduardo KAHANE.
Published: March 9, 2009 Last updated: December 2, 2015

I know I have said it before, but I believe it is worth saying it again: This question is not just about interpreters in conflict and war zones, but it is also about whom do we want to be. An Association that represents its members or an Association that aspires to represent the profession?

I have heard colleagues comment: "Those people are not interpreters but taxi drivers, people who know a local language and have a smattering of English." But when one of them happens to be killed while working, the headlines proclaim that an interpreter has died on the field, and the world recognises it. Perhaps not the whole world because until now, we have not said it. I will contend that this delay in accepting the fact is related to the way we perceive our profession and the ways in which our profession evolves, in itself and within society.

Concerns of members

An initiative on interpreters in conflict zones is not another attempt to send "volunteer teams" (expenses paid) to poor regions. In fact, it is the exact opposite.

In the first place, no matter how attractive "touristic-interpretation" may be, it seems to me that nobody would rush to go on war missions, to places where there is the highest likelihood of being kidnapped or killed. After all - even if travel and living expenses are covered by the employer - the stay may turn out to last forever.

A second argument opposed to a misconceived idea of voluntary work is to be found in the support to the training of interpreters on the field, which this initiative explicitly promotes.

Another reason for concern is the fact that there are colleagues, here in the West, not in far away places, working at courts of justice for instance, who have been explicitly threatened or felt under pressure in cases related to the "mafia", release of hostages, repression of minorities and similar.

To allay those fears, and to support interpreters in the field who might be torn by doubts about their role, due to lack of training and confused allegiances, torn by doubts about their rights or the ethical way to proceed in their difficult circumstances, this project will advise them through the AIIC website of their right to fair treatment and protection, but also of their obligations as neutral/non-partisan intermediaries and of the major principles of the profession of interpreter.

The ethical dimension
Being members of a professional association does not prevent us, but rather demands of us, that we act morally. Now, despite what our good Code of Ethics lays down, the field of our professional ethics cannot be circumscribed to working conditions, fees or even rules on confidentiality. In order to find our place in society and feel that we have a profession that makes us worthy human beings, we should have a more far-reaching idea of the meaning and scope of our ethics. Yet this, demanded both by ourselves as individuals and by our profession, requires being aware of where the fine dividing lines are, something by no means generally agreed upon, nor always easy to elucidate.

Is it enough to be structurally and linguistically faithful and impartial to deem our behaviour ethical?

How would we judge the simultaneous interpreters referred to by Roberto Saviano in his recent "non-fiction novel" *Gomorra*? In his account he describes the criminal activities of the Camorra which include not only the falsification of luxury goods but also classes on counterfeiting imparted to apprentices brought from China, and I quote Saviano: "The classes are imparted with simultaneous interpreters in premises owned by the Mafia."

Doubts could be raised about participating, even as interpreters, in the International Conference to Review the Global Vision on the Holocaust convened in 2006 in Teheran by Mahmud Ahmadinajed, a gathering that had as a declared objective the negation of the genocide perpetrated by the Nazis against the Jews.

But ethical judgements may relate to more clear-cut cases. For instance, nowadays, I suppose nobody would dare say that working for an organisation of nazi ideology was or is acceptable.

And what would we say about working for a terrorist organisation? Like the IRA in its time or, nowadays for the ETA or the Corsican National Movement? I assume that the answer would be negative...

And what of working for a non-violent national secessionist organisation? Here the lines are more blurred. Even if its objectives are anti-constitutional -and therefore illegal- some may think it acceptable to work for it, if they agree with its nationalist ideology. And not only acceptable but also desirable. Suffice it to recall the Croat interpreters who declared that they felt as "ambassadors" of their cause, and I am referring to those who worked during the 1991-1992 war in Croatia for the European Union ECMM, whose function was to monitor the neutrality of the cease-fire(s) and the respect for minority rights.

The French Resistance was also illegal but it was on the right side of the moral trenches. Nowadays those who took part in it are considered national heroes and the legality of the Vichy Government is seen, by most, as a blot on the history of France.

**Judging the past**

So, what is ethically acceptable, besides being a tricky question to elucidate, changes with time and in the course of History. Nobody today, I wish to believe, nobody, would knowingly work for a nazi organisation, or for one that resorts to violence or for a fascist organisation. Yet, if we were to pass judgement, (an extremely tough proposition in any case), with hindsight and in full knowledge of the historical facts, how would we judge the interpreters who worked for the Waffen SS? Perhaps we ought to ask ourselves if they had alternatives, if they truly could choose. Most surely, many joined the Waffen SS as volunteers, whereas others, perhaps, had the same freedom of choice as the Jews who became *kapos* in exchange for avoiding death in the gas chambers... only to die of shame or wrapped up in the hatred they inspired in their fellow prisoners.

What choice did the interpreters working for Stalin have? Or how much did they know about his crimes? It is difficult these days to ethically assess that, following the historical perspective adopted as from the XX Congress of the Communist Party. It is equally difficult to assert which shall be - in
the long run - the official version of Stalinism if the current Russian nationalist forces in power impose the vindication and reappraisal of Stalin's figure and role.

Judging the present

Contemporary ethical judgements are also complex and the dividing lines not always obvious. It seems to me clear that none of us would willingly take part in the interrogation of wounded prisoners in a field hospital in order to extract strategic military information from them in exchange for medical care, even if the bargain implicit in the situation is never spelled out. It would be a violation of human rights. But what if the information sought would help prevent an attack? Including preventing a terrorist one that would threaten our own safety and that of our employers? In such cases the dividing lines become less clear-cut and taking on the spot decisions becomes increasingly more difficult.

In conflict and war situations it is easy to fall prey to moral conflicts. The thorny debate around possible solutions requires that we choose, above all others, the loftiest moral stand, that is to say, for instance, to safeguard life at the price of acting illegally, or even unjustly. And all too often we shall be paralysed by insoluble dilemmas such as those that pit life against life.

To choose is difficult, but interpreters sent on missions the details of which they know nothing about are put in an even more difficult situation, exposing them to the very worst moral humiliations. Hence, the importance of providing interpreters with prior and precise information before they can accept a mission. Only in so far as they have this information, will they be able to decide on a course of action that is morally adequate.

The need to have ethically acceptable work contracts

The labour relations established by the agencies or institutions that resort to interpretation services in the field are far from being a paradigm of respect for the independence and impartiality of interpretation work. Starting with the example closest at hand, the UN - to which it would seem unnecessary to explain the nature of our work and the conditions that should govern it - has chosen not to apply those conditions in the field and then does not employ "interpreters" but rather what it has given to call "language assistants". This allows it to break the rules and agreements it has entered into with the AIIC and to impose on such "language assistants" liaison and intelligence responsibilities and functions that totally compromise their independence. It cannot be, therefore, surprising that the conflicting parties, for which even the UN is an undesirable foreign interference, should look upon these "language assistants" as mere traitors and collaborators.

The same happens with humanitarian organisations and the media that cannot do without the cultural mediation provided by interpreters, but have also chosen to refer to them in a way that reflects the situation clearly: they do not employ interpreters but "fixers", a most telling title.

In any case, the exchange of basic information that allows a dialogue to take place implies a two-way communication. As it happens, however, not only do the warring factions or the local ethnic groups in conflict perceive this exchange as treason, but too often, even the employers mistrust their own "language assistants" or "fixers" and openly, or otherwise, suspect them of being double agents or spies. The French commanders, following the ambush that took place this past August, 50 km outside Kabul, and in which 10 French soldiers were killed voiced this very suspicion.

We must recognise though, that the situation of interpreters employed by the Armed Forces is completely different. But even in cases where their contract is a "service contract" and they are not military personnel, they are accountable to the military hierarchy, subject to military priorities and answerable to the chain of command. Reports drafted by USA army officers on training missions in
Thailand, for instance, recommend that interpreters be made part of the "team" and even that they be provided with military uniforms.

This does not help interpreters' work to be perceived as "independent" and "impartial". Furthermore, once the party that employed them leaves the area, they and their families are liable to be the target of reprisals.

In civil organisations a comparable situation arises. Interpreters are used as "liaison" and "intelligence" agents without due consideration of the needs of their task and without being afforded adequate protection during their mission, let alone once it has finished.

**Contractual aspects**

I come now to the need to establish a new understanding with society and its institutions, what I call a new social contract, and to the quest for new, enforceable contractual conditions. No change will take place unless our Association takes decisive action before those parties in society that call on interpretation services in conflict areas.

Workers in the economic sector face up to the worst effects of globalisation and to the impoverished working conditions that prevail in assembly lines and in industrial free trade zones by resorting to international collective bargaining with multinational enterprises that eventually come to accept the introduction of working conditions similar to European ones in those industrial zones. The example of the international trade union movement should inspire us to act likewise with those who employ interpreters in the field with total disregard for their most elemental human and employee rights, which are otherwise recognised in the First World.

**The political dimension**

Our aims will not be achieved overnight, nor in one year or two. Nevertheless, to understand them in a political key must be, I believe, the backbone of our effort to support interpreters working in conflict zones and might prove to be fundamental to the structure and the very future of our Association.

For years we have debated how to attain international recognition of the title of "conference interpreter" without avail. I submit that we cannot expect, as we have done up to now, to be accepted by society if we choose to remain aloof. To stand aside from social processes and social change, to refrain from widening the field of action and presence of our profession in the community, in court rooms, in sign interpreting for the deaf or in conflict situations, is tantamount to wrapping ourselves up in a golden but empty cocoon. Before we request the support of society, we have to show that we belong to this society, that we grow and change with it, and that far from being a secret and privileged lodge, we are a group committed to a community to which we provide a fundamental service. To expect to be recognised for our work at the service of communication, dialogue and mediation means that we have to be present where such needs are most pressing.

To request and achieve recognition of the "neutral and impartial status and integrity of all interpreters" by, for instance, the General Assembly of the United Nations or the Parliamentary Assembly of the Council of Europe, would avail us of an instrument with which we could defend interpreters in case of abuses or kidnappings so that never again will there be a case such as that of the Afghan interpreter Ajmal Naqshbandi. Without anyone speaking up for him, without legal status and without any political support he was killed in captivity following the release of the journalist from La Repubblica for whom he worked. He was killed like a stray dog with no master to recognise him. It is well known that hundreds of interpreters die every year in the barren wastes of Afghanistan and Iraq, and not only are their deaths not considered worthy of mention, but they also remain unaccounted for and nameless.
I must recognise that certain terms - in particular the term "neutrality" - make me uneasy. It is a concept whose ambiguity and even political opportunism have been endured by self-declared "neutral" countries, particularly at critical moments of their history. Nevertheless, it is the term used in international instruments and in the founding charters of international humanitarian institutions such as the International Committee of the Red Cross, and is equally applicable to medical staff. Aside from the very welcome conceptual debate it may stimulate among ourselves, we have no practical alternative other than an instrument - drafted with those or similar terms - that will provide us with international recognition and protection, be it in conflict zones, in civil or industrial litigation or before courts of justice.

I also believe - given the current geo-strategic situation of emergencies and international armed conflicts - that we would be doing ourselves a favour if we contribute to their resolution by pointing out the need for the international community and institutions to grant us their recognition and protection endowing us with the necessary instruments and protection that will enable us to continue with our work. I believe that the time is ripe to take this course of action that in the same breath will allow us to extend our wings and free ourselves at long last from our cocoon.

Recommended citation format: