



WORKING PAPER

ASSEMBLY — 39TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 26: Multilingualism at ICAO

MULTILINGUALISM – ONE OF THE FUNDAMENTAL PRINCIPLES TO ACHIEVE THE GOALS OF ICAO AS A SPECIALIZED AGENCY OF THE UNITED NATIONS

(Presented by the Russian Federation)

EXECUTIVE SUMMARY

This working paper draws the attention of the ICAO Assembly to the decisions laid down in Assembly Resolutions A22-29, A24-21, as well as A37-25, on matters related to compliance with the multilingualism principle and the provision of adequate language services at ICAO.

A situation in which non-English-speaking experts from different countries are unable to fully participate in the development process of ICAO Standards and Recommended Practices (SARPs) undermines the core principles of the Convention on International Civil Aviation (Chicago Convention), including the equality of opportunity principle.

Inadequate compliance with the multilingualism principle calls into question the feasibility of the *"No Country Left Behind"* (NCLB) initiative, the main goal of which is to highlight ICAO's efforts in *"assisting Member States to ensure that SARP implementation is better harmonized globally so that all States have access to the significant socio-economic benefits of safe and reliable air transport."*

In the same way, it is believed to be inconsistent with the United Nations' principle of multilingualism, which is one of the fundamental principles to achieve the goals of ICAO as a specialized agency of the United Nations in the field of civil aviation.

Actions: Proposed Actions by the Assembly are set out in paragraph 5.

<i>Strategic Objectives:</i>	This working paper relates to all ICAO Strategic Objectives.
<i>Financial implications:</i>	More effective use of resources from ICAO's regular budget to ensure the provision of adequate language services.

<i>References:</i>	<i>Doc 10022, Assembly Resolutions in Force (as of 4 October 2013)</i> <i>Doc 10030, Budget of the Organization 2014–2015–2016</i> <i>Doc 7515, The ICAO Financial Regulations</i> <i>Doc 7231, ICAO Publications Regulations</i> <i>C-WP/13521, Funding for Language Services</i> <i>A39-WP/43, Multilingualism at ICAO</i> <i>C-WP/14492, Draft Assembly Working Paper – Proposed Draft Budget of the Organization for 2017, 2018 and 2019</i> <i>DGP/24, Report of the 24th meeting of the Dangerous Goods Panel</i> <i>SMM 1/4-IND/14/11, Establishment of the Task Force on Risks to civil aviation arising from Conflict Zones</i> <i>A/RES/67/292, Multilingualism</i> <i>A/67/78, Multilingualism in the United Nations system organizations: status of implementation</i>
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1. INTRODUCTION

1.1. Despite the Secretary General's efforts related to the implementation of the multilingualism principle at ICAO, a number of ICAO Council decisions driven by budgetary considerations have pre-identified serious deviations from the provisions of the ICAO Assembly Resolutions related to language services at ICAO. In particular, the provision stating that "*language services are an integral part of any ICAO programme*," specified in paragraph 3 of the resolving clause of Resolution A37-25, *ICAO Policy on the language services*, is practically not being implemented. For instance, due to the 30 per cent reduction in simultaneous interpretation services for the sessions of the Dangerous Goods Panel (DGP/24) (28 October - 8 November 2013), its non-English-speaking members were unable to fully participate in the work of the two-week meetings. In addition, the narrative parts of the DGP/24 working papers had not been translated into the ICAO working languages, which gave rise to justified remarks, supported by all members of the DGP.

1.2 On 17 March 2014, during the opening of the 25th Meeting of the Aviation Security Panel (AVSECP/25), the French delegation made a statement, whereby it expressed serious concern over the fact that interpretation into ICAO's working languages would not be provided at all AVSECP/25 meetings. The Air Transport Bureau Director (D/ATB) explained that, in accordance with the decision of the ICAO Council, interpretation could be provided only for seven sessions per week (in fact, the Council never made such a decision). After two days, the participants of the AVSECP/25 Meeting unanimously decided not to hold meetings without interpretation. It should be noted that other ICAO Panels also had previously made remarks on the absence of language services in a number of meetings, which is seen as a conscious action to exclude non-English-speaking countries from the ICAO SARPs development process.

1.3 On 4 August 2014, a letter was sent by the ICAO Secretary General, R. Benjamin, to Member States, notifying the establishment - at the level of senior officials - of "*a Task Force on Risks to civil aviation originating from Conflict Zones (TF RCZ)*." The first and the second meetings of this Task Force were held at ICAO headquarters, on 14-15 August and 25-26 August 2014 respectively, chaired by D. McMillan (United Kingdom). Both meetings regarding such an important topic were held only in English (without interpretation or translation).

1.4 It is important to note that the two meetings of the High-level Group on a Global Market-based Measure Scheme (HLG-GMBM) in 2016, within the framework of which a discussion was held on the most complex and controversial issues on the ICAO agenda, were not provided with full language services. During the subsequent meeting of the High-level Group on a Global Market-based Measure Scheme (11-13 May 2016), the changes proposed to the draft text for the ICAO Assembly "climate resolution," were not translated into the working languages, which obviously complicated the process of harmonizing the text at the level of the national delegations.

1.5 Resolution A/RES/67/292 adopted by the United Nations General Assembly on 24 July 2013 emphasizes the paramount importance of the equality of the six official languages of the United Nations.

1.6 The principle of multilingualism in the Organization plays a fundamental role since it enables States to meet the provisions of Article 37 of the Chicago Convention according to which "*...every Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures.*" Moreover, the use of only one language prevents the Organization from fully benefiting from the best practices of many Member States in the field of civil aviation.

1.7 Resolution A37-25 establishes that “*parity and quality of service in all of the working languages of ICAO be the continuous objective of the Organization*” and that “*the Council continue to monitor language services, which will be a subject of review; and “that language services are an integral part of any ICAO programme.”*”

1.8. The use of computer-assisted translation (CATS) and, even more so, of computer-assisted interpretation is seen by many as reasonable and desirable; but in actual fact, it is a very distant goal, the implementation of which could lead to cost savings and a reduction in the number of language service staff; however, the industrial application of neural self-learning computational power, which is expected to ensure an adequate quality of interpretation and translation, cannot be foreseen within the next decade. In addition, the financial cost at the initial implementation stage of such systems will be disproportionately higher than the current cost of language services. As a result of the unjustified reduction of budgetary funding for language services in 2011-2013, 20 posts from the ICAO Languages and Publications (LP) Branch were abolished. In the current triennium, the number of in-house interpreters has been reduced from 20 to 14 staff members (C-WP/14438). It is expected that by 2019, up to 65 per cent of translators and 21 per cent of interpreters will retire; therefore, there is a need to ensure the transfer of institutional knowledge to junior translators. In view of the continued reduction in the number of core language service staff, the possibility of transferring such knowledge and maintaining continuity of adequate language services is now considered one of the significant corporate risks (C-WP/14448). Currently, adequate translation quality can only be ensured through highly qualified professional staff with extensive terminological knowledge related to civil aviation activities.

2. IMPACT OF THE REDUCTION OF LANGUAGE SERVICES ON THE POSSIBILITY TO ACHIEVE THE GOALS OF ICAO AS A SPECIALIZED AGENCY OF THE UNITED NATIONS

2.1 Currently, the draft texts for the Panel’s final report have been submitted for consideration and approval in English only. The Organization is being deprived of the possibility for the new SARPs and PANS to be revised **free of charge** in other languages by technical specialists. **Consequently, in many cases, it is impossible to ensure full authenticity of ICAO publications in all of ICAO’s working languages.**

2.2 It should be noted that English is not the mother tongue of a significant number of ICAO Secretariat staff. Therefore, accuracy from a language perspective in the preparation of documents by staff in the English language is becoming increasingly important when they are being translated into the other working languages of ICAO. It is quite clear that the revision of English texts, including highly technically complex documents, is an integral part of the entire quality management process of the Organization’s language services.

3. THE "ADVANTAGE" OF OUTSOURCING LANGUAGE SERVICES AT ICAO

3.1 Endeavouring to reduce budget expenditures on language services and the ensuing progressive reduction of core language service staff require the ICAO governing body to constantly increase the outsourcing ratio, against a backdrop of ever increasing needs for such services within the Organization. In 1980-1992, the outsourcing level was 5 to 10 per cent; in 1993-2007, it was about 15-20 per cent; but in recent years this figure has exceeded 40 per cent, which has prevented the Organization from carrying out adequate quality control of the work performed through outsourcing. It is only thanks to the fact that most freelancers involved in the performance of this work are former ICAO staff members that the quality of external translations remains relatively acceptable. However, the natural

"retirement" of such specialists from the roster of external ICAO staff inevitably increases the downside risks to the quality of translations carried out on an outsourcing basis.

3.2 Due to the very limited labour market of interpreters, the Organization has already been required to hire specialists who do not have sufficient knowledge of aviation terminology. During high-level meetings, when complex technical issues are discussed by delegations, cases of inadequate interpretation have repeatedly been pointed out.

3.3 According to the studies conducted by the ICAO Secretariat (C-WP/13521), the advantages of outsourcing language services include less cost, minimal overhead expenses and the possibility of contracting out services as and when needed, which can be very useful during peak periods. In all other respects, the advantages of using in-house translators are obvious, and include a rigorous recruitment process, in-house translators working as teams, the preservation of the Organization's "institutional memory," the possibility to consult with the originators of documents, technical writers, terminologists, etc.

3.4 When outsourcing, ICAO, as the client, cannot conduct a direct control over the quality of the work of external translators, since they can be subcontracted to translate a document from an unknown third party, and not be revising the work. As such, the subsequent revision of such documents by in-house translators leads to duplication of effort, more time investment, and ultimately, to an increase in the cost of language services.

3.5 There are cases where freelance translators cannot be located, or may refuse to carry out the proposed work for various reasons, which can lead to potential delays in the issuance of documents. In addition, the confidentiality of the documents to be translated may be compromised. There have been cases where the Organization has been required to outsource limited distribution documents, which obviously creates risks for maintaining the confidentiality status of the documents to be translated, and also makes it impossible to provide accurate and consistent use of ICAO terminology, especially when the document is translated by several external specialists, which is absolutely unacceptable for documents containing a description of ICAO SARPs.

3.6 The aforementioned disadvantages fully apply to outsourced interpretation as well. Additional disadvantages can also be noted, such as last-minute changes to meeting schedules, which may lead to the cancellation of proposed contracts with the subsequent payment of penalties. Moreover, hiring temporary freelancers entails additional costs, such as travel and daily subsistence allowance (DSA), etc.

3.7 Overall, it can be concluded that with high outsourcing volumes and ICAO being unable to exercise adequate quality control of a significant part of its documentation, including the parameters for translation authenticity, the risks associated with the timely publication of documents of critical importance to international aviation security grow significantly. This, in turn, may be considered by ICAO Member States, as inadequate implementation of the Organization's mandate, which inevitably creates a reputational risk for ICAO. It is important to note that when calculating the cost of language services, the income from the sale of ICAO publications, which for many years has exceeded \$5 million USD annually, is not taken into account.

3.8 A direct comparison of the cost of outsourcing with the cost of translation by staff members is too simplistic in nature and leads to incorrect assessments. The translation of large volumes of documents by a group of translators does not provide a proportional reduction in turnaround time due to the significant increase in the work on the revision and harmonization of the compiled parts of the document, which also needs to be considered as a factor in the unjustified increase in the cost of language services.

4. THE IMPACT OF THE REDUCTION OF LANGUAGE SERVICES ON THE EFFECTIVENESS OF ICAO'S PROMOTIONAL ACTIVITIES

4.1 According to the *ICAO Publications Regulations* (Doc 7231/12), documents and publications of the Organization are issued in all six working languages of the United Nations, subject to "the availability of resources." This provision raises the issue on the Organization's priorities related to the publication of ICAO documents in all the working languages. In recent years, a steady trend can be observed within the Organization to increase the number of documents published in only one ICAO working language – English. For instance, as of January 2013, the ICAO Journal, which has always been published in all the ICAO working languages since its first release in August 1945, is being published only in English.

4.2 Paragraph 97 of the Report of the Joint Inspection Unit (JIU¹) entitled "*Multilingualism in the United Nations system organizations: status of implementation*," it is stated to the United Nations General Assembly that: "*In several organizations of the United Nations system, due to budgetary constraints, a number of documents that used to be translated are now delivered in English only (e.g. ICAO,...). The value of a multilingual organization is not just a question of image, but above all of fair access to information so as to facilitate access to and participation in the decision-making processes of the legislative bodies, on equal footing.*"

4.3 There is evidence that ICAO's current promotional activities related to language services are aimed at a very narrow circle of Member States. It appears that the Assembly should draw the attention of the ICAO Council, the ICAO President and Secretary General to the need to take action in the light of JIU's recommendations to ensure the unconditional implementation of all the provisions of the ICAO Convention and Assembly Resolutions in force in order to achieve the goals of the Organization as a specialized agency of the United Nations.

¹ Joint Inspection Unit (JIU) – the only independent external oversight body of the United Nations system mandated to conduct evaluations, inspections and investigations system-wide

5. ACTIONS FOR THE ASSEMBLY

5.1 The Assembly is invited to:

- a) *Request* the Secretary General to make recommendations to the Council to ensure that they are brought into line with the provisions of the Assembly Resolutions, taking into account the maintenance of parity and quality;
- b) *Request* the Secretary General to develop and submit for approval by the Council a revised procedure for prioritizing the translation and publication of ICAO documents in cases where compliance with the provisions of paragraph 1 of the resolving clause of Resolution A24-21 is impossible;
- c) *Request* the Secretary General to consider the need to amend the *ICAO Publications Regulations* (Doc 7231/12), which provides for the unconditional dissemination of ICAO publications in all the ICAO working languages and to submit a report to the Council on this matter;
- d) *Request* the Secretary General to seek the required financial resources in the current triennium to ensure that interpretation, to the extent possible, is provided at least at all high-level meetings, panel meetings and international symposia;
- e) *Request* the Secretary General to consider addressing ICAO Member States with a proposal to second to ICAO language specialists to ensure the possibility of expanding the official ICAO roster of language specialists assigned to work on a temporary basis at ICAO;
- f) *Request* the Secretary General to present at the next ICAO budget-planning process, measures aimed at implementing Recommendations 6, 8, 12 and 15, set out in the JIU Report on Multilingualism;
- g) *Request* the Secretary General to consider renewing the contracts of staff until they reach the age of 65, to consider the due transfer of knowledge and experience from **highly skilled professional staff with thorough terminological knowledge** to junior translators in order to maintain the principle of continuity in the provision of translation services;
- h) *Request* the Secretary General to prepare a proposal for a specific policy aimed at reducing the percentage of outsourced translation and interpretation services to the average level within other specialized agencies of the United Nations.

— END —