

# Translating and Interpreting in the Context of Mediation for Indigenous Rights in Peru

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# **1st International Forum on Social Activism in Translation and Interpreting, held in Granada from 28th to 30th April 2007, Declaration:**

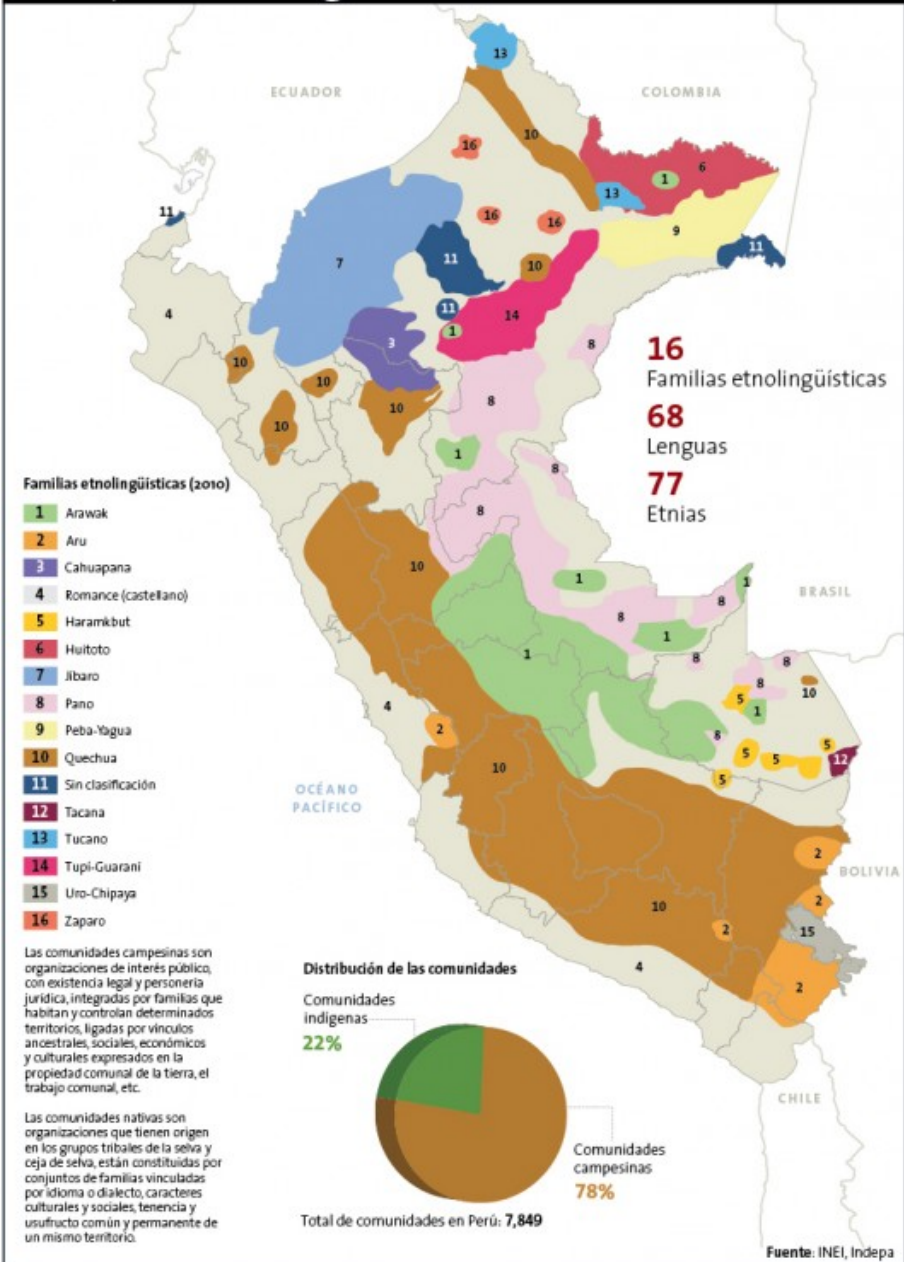
**We (...) call upon translators, interpreters, researchers and students of Translation and Interpreting who are aware of the need for a change of direction in these professions to put their knowledge at the service of society as a whole, and of all societies, with the aim of:**

- building intercultural societies which, without adversely affecting the host cultures, favour communication and mutual enrichment among the different cultures present in each society;**
- reinforcing links between social movements around the world that work to promote a more just society;**
- defending language diversity through making translations available and showing respect for the equal dignity of every language in all spheres, including academic circles, faced with the hegemonic dominance of colonial languages; (...)**

# Aims of the project

- **To identify and critically analyse the issues related to translation and interpreting which arise during the implementation of indigenous rights legislation among the Andean and Amazonian peoples of Peru.**
- **To focus on the challenges faced by indigenous translators and interpreters when practising in contexts where the often tense relations between the State and the indigenous peoples of Peru are brought to the fore.**

# Mapa etnolingüístico



## Ethnolinguistic map of Peru

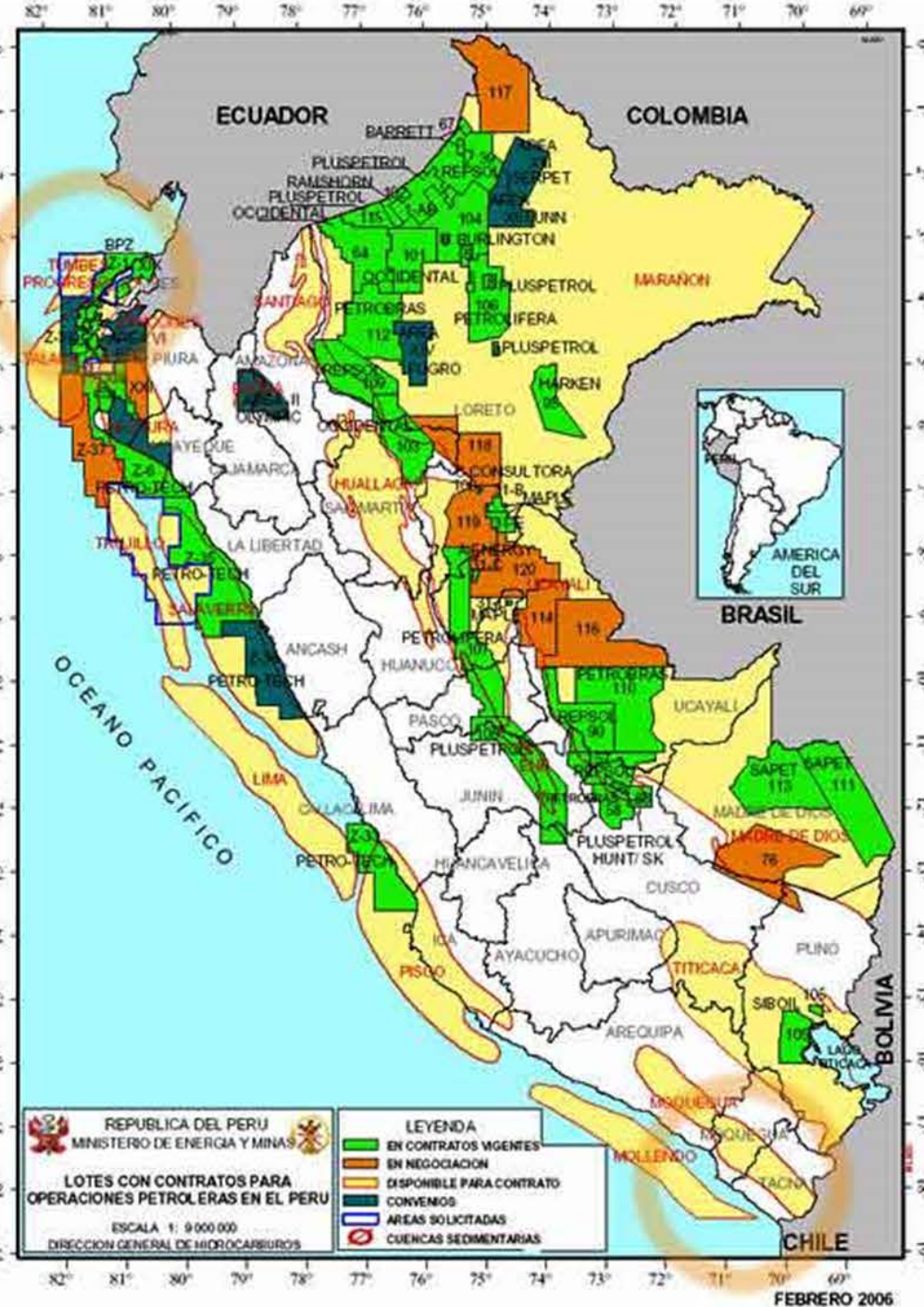
47 languages, 16 language families

*Highlands:* Quechua, Aymara, Jaqaru

*Amazonia:* Ashaninka, Shipibo, Awajún, Matsigenka and many more



# Oil extraction concessions in Amazonia



# Context: confrontation between Awajún people and the State at Bagua, N. Peru, 2009



# Language rights and Peruvian legislation

- **1993: *State Constitution*. Art. 48 guarantees speakers of indigenous languages the right to an interpreter**
- **2003: *Ley de Lenguas (28106)*. Indigenous Languages Act**
- **2007: *Decreto de Ley de Lenguas*. Executive Order on Languages**
- **2011: *Ley de Lenguas (29735)*. Indigenous Languages Act**
- **2011: *Ley del Derecho a la Consulta Previa (29785)*. Right to Prior Consultation Act**



# *Ley de Lenguas/Languages Act*

- **Regulates the use, preservation, development, revitalisation, promotion and diffusion of the indigenous languages of Peru.**
- **Art. 4 states that the entitlement to the services of a “translator” for communication purposes between indigenous people and the public sector is a human right.**

# *Law on the Right to Prior Consultation*

- Aims to reach an agreement or consent between the State and the indigenous or originary peoples [...] by means of an intercultural dialogue which guarantees their inclusion in the decision making processes of the State and the adoption of measures which respect their collective rights (Art. 3).
- Art. 16 guarantees the right to an interpreter in prior consultation processes, who must be trained in the specific subject matter and registered by the governmental body specialised in indigenous affairs.

# Institutional response

- The Directorate for Indigenous Languages (*Dirección de Lenguas Indígenas*), which is part of the Ministry of Culture, set up a training programme to qualify translators and interpreters (*Curso Básico*) in 2012.
- There have been eight editions of the *Curso*. 253 translators/interpreters have been qualified and 14 languages have been covered.
- Initial emphasis on Prior Consultation processes. Subsequently, PSIT also covered.



# Training of translators/ interpreters

- Three-week intensive programme (*Curso Básico*), which leads to membership of the official register
- Specialised workshops (e.g. health, justice)
- Training workshops for those working in Prior Consultation processes, jointly facilitated by the Ministry of Culture and the Ministry of Energy and Mines
- Placements



# Positive outcomes

- The figure of the indigenous translator/interpreter has gained visibility and, for the first time, has been officially recognised by the State.
- Indigenous peoples who had not been previously in contact have been able to network and develop links.
- A National Association of indigenous translators and interpreters (ANTRAIN-PERU) has been created.
- The translation of legal and paralegal texts has increased the written corpus in some of the indigenous languages.
- Linguistic human rights have been promoted. Translators and interpreters are seen, and see themselves, as guarantors of the visibility and revitalisation of their languages.

# Challenges

- Training provision:
  - Length of the *Curso*
  - Different backgrounds, educational levels and experience of the participants
  - Non-language specific
- Professional practice
  - Public and institutional perceptions
  - Perceptions of the users of interpreting services
  - Neutrality vs. allegiance
  - Co-presence of interpreters qualified by the Directorate of Indigenous Languages and untrained, local interpreters in Prior Consultation processes
  - Lack of agreement as to transcriptions systems (alphabets) for indigenous languages
  - Difficulties of translating technical and legal terminology into languages that have no equivalents
  - Asymmetry of discursive and text-generic patterns between Spanish and the indigenous languages
- Language hegemony: Spanish as a *lingua franca*

# Conclusion

- The language situation in Peru, a post-colonial State, has been, historically, characterised for the violation of linguistic human rights. It remains complex and asymmetrical.
- If it is to succeed, the training initiative has to be embedded in, and backed by, wider policies in support of indigenous rights.
- The State and civil society have to take responsibility in the defence and promotion of linguistic human rights, which cannot be merely “devolved” to the indigenous translators and interpreters.
- The interaction of translators and interpreters with public institutions needs to be strengthened, so that not only the scope of their role, but also its limits and complexity are properly understood.