200 YEARS OF INSTITUTIONAL TRANSLATION IN SOUTH TYROL: FROM CIVIL SERVANTS TO MACHINES?

200 ANNI DI TRADUZIONE ISTITUZIONALE IN ALTO ADIGE: DALL'IMPIEGATO ALLA MACCHINA?

FLAVIA DE CAMILLIS
flaviadecamillis@yahoo.it
Eurac Research, Bolzano

Abstract

In this paper, we propose a historical reflection on the last 175 years—and a projection of the next 25 years—of institutional translation in South Tyrol, with the help of results gathered from three studies. Over the last two centuries in this borderland, language policy has been influenced by a range of governments, from the multilingual Habsburg Monarchy and the forced monolingualism of the Italian Fascist regime to the newfound institutional multilingualism fostered by provincial autonomy. Despite the current wide spectrum of language rights, and unlike other contemporary multilingual institutions, civil servants of the South Tyrolean administration today still translate as their colleagues did 175 years ago. Only the impressive advancements achieved by the latest translation technologies seem to be paving the way for a paradigm shift in local institutions, which are otherwise strongly anchored in tradition.

Keywords: Institutional translation. Non-professional translation. Machine translation. History of translation. South Tyrol.

Riassunto

In questo contributo proponiamo una riflessione sugli ultimi 175 anni di storia – e una proiezione dei prossimi 25 – della traduzione istituzionale in Alto Adige, servendoci dei risultati di alcuni studi. In questa terra di confine si sono susseguite numerose forme di governo nel periodo preso in esame, che hanno influenzato direttamente la gestione linguistica delle istituzioni. Dal multilinguismo di epoca asburgica, al rigido monolinguismo di epoca fascista, al ritrovato multilinguismo favorito dall'autonomia provinciale. Nonostante l'ampio spettro di diritti linguistici attuale, e a differenza di altre realtà contemporanee, oggi nell'amministrazione locale si traduce perlopiù come si traduceva 175 anni fa, ovvero sfruttando il bilinguismo del personale impiegato. Solo l'impressionante salto qualitativo raggiunto dalle tecnologie per la traduzione sembra essere in grado di favorire un cambio di paradigma per le istituzioni di questo territorio, altrimenti fortemente ancorate alla tradizione.

Parole chiave: Traduzione istituzionale. Traduzione non professionale. Traduzione automatica. Storia della traduzione. Alto Adige.

1. Introduction[1]

Institutional translation refers to the translation of or for an institution. The concept of institution is so broad that any translation could be considered institutional translation (Kang 2009: 141). Koskinen (2008: 22) proposes a tripartite classification between abstract, formal and concrete institutions. Taking the example of religion, an abstract institution is the religion itself; a formal institution is, for example, the Catholic Church; a concrete institution is the parish. In practice, translation can only be analysed in concrete institutions. We find institutional translation in government agencies, multinational organisations or private companies when they address a specific audience, or in institutions or organisations where at least two languages are spoken or used. In the latter case, there might be several translation directions and a more complex translation system when in actual fact these more often involve the main languages and, only in exceptional cases, all other languages too (Cruces Colado & Luna Alonso 2004: 15).

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1. Part of this contribution proceeds from the author's unpublished dissertation (De Camillis 2021).

As a result of globalisation, only few areas of the world today can still be described as monolingual or missing at least one second language. A multilingual society is the new normal, but this linguistic variety is not necessarily reflected in institutions. Meylaerts (2011: 744) argues that even the occasional presence of a language other than the official or the dominant language, puts public institutions in a position of necessary confrontation with it. This certainly does not mean that all public institutions that come across another language employ translation, but, rather, that every modern society adopts, either explicitly or implicitly, translation policies. The same author believes that outlining language policies in a democratic society necessarily implies defining the potential right to translation. Thus, by studying translation in society, we can deepen our understanding of citizenship, integration and minority language rights (Meylaerts 2011: 745).

Before the 2000s and the onset of the Internet, many institutions managed translations through in-house language services. However, the rising costs and quantity of translation tasks soon redirected these services to external freelance translators or companies (Kang 2009: 143). Translating for an institution requires in-depth knowledge of its language: terminology, style, conventions, text types, etc. constitute its identity. Hence, outsourcing it entails certain risks: an external company or professional is unlikely to know the institution as well as those working within it. According to Koskinen (2008: 23), the institutional environment might be one of the few in which in-house professional translators are still employed and will continue to be so in the near future.

In our view, this is only partially true. We think it is more correct to say that the institutional context is one of the few environments where translation is likely to remain internally managed, though not necessarily by professionals. In fact, while terminology, style and other linguistic aspects interfere with the complete outsourcing of translation, it is also true that one cannot expect to find professional translators in every institutional context. This is due to both the costs involved and to fluctuating translation needs, but also to the difficulty in finding highly-skilled professionals. In our study, we will see an example of institutional translation historically handled by people who are not professional translators.

The institutional translator is at the heart of our contribution. However, in order to discuss this figure, we need to broaden the concept of translator to that of "translating subject", thus considering their role in a given context. This is not an individual who translates according to their training and experience, but rather a person who participates in an institutional practice consolidated and repeated over time (Kang 2009: 144). The translating subject is embedded in a socio-cultural context, according to which they not only match meanings (Kang 2014: 469) but also represent the institution. This extra service gives the translation a distinctive socio-political function and makes the translator the "agent of an institution" (Mossop 1990: 451).

The language used by the institutional translator lacks personal choice and taste and is largely controlled and standardised. The translated text is not their own. It does not carry their signature but belongs to the institution, and is the result of both teamwork and of a high rate of repetitiveness, recyclability of previous translations and intertextuality (Koskinen 2011: 58). It is in the institution's interest for its translators to align with its style. This is why institutional translation strategies usually—but not always, as we shall later see—involve specific tools for standardisation and consistency (Kang 2014: 475).

The skill-set of the institutional translator is often multifaceted. They hardly ever translate texts from a single field. In governmental institutions, the translator has in-depth knowledge of the relevant legal system as well as the legislation. They usually work in teams, offices or departments sometimes divided by language. In smaller institutions, there are usually only a few translators with even fewer defined competence areas. In supranational and international contexts, we frequently find professional translators with a background in translation or linguistics, or with years of work experience. Translators working for European institutions, for instance, pass through a tough selection process and need to meet the following requirements: at least a bachelor degree, knowledge of one language at C2 level and at least two other European languages at C1 level. Expertise in one of the following fields is highly relevant: economic, financial, political, legal, scientific and technical. Previous work experience is not essential, although *de facto*

it is, given the high competition. After recruitment, European translators participate in further training courses. In addition to in-house translators, European institutions have a large network of freelance translators and use external translation services with varying frequency. Nonetheless, translations carried out in-house or by the translator network are considered to be of higher quality. In-house translators offer better results thanks to their ability to contextualise, their access to more and better resources with the possibility of exploiting them in an integrated way, and, finally, thanks to their insider knowledge (Biel 2017: 48).

Finding non-professional translators in institutional contexts is far less common[2]. To date, their presence has been detected within non-governmental organisations such as Amnesty International (Tesseur 2017), and in the local administration of a border town between the United States and Mexico (González Núñez 2017). Unlike governmental and intergovernmental services, NGOs rarely have the necessary funds for translation. To them, in fact, translation usually responds to real needs. They prefer volunteers over in-house translators and, thanks to their staff's language skills, they typically do not translate internal communications but publications for external audiences only (Pym 2004: 86). However standardised it may be, it seems clear that non-professional translation is very much present in the institutional context, even though it may not be highly documented.

The aim of this detailed introduction was to contextualise the main features of translation in institutions and of the people carrying it out within them. In this contribution, we present an institutional context that has employed non-professional translators for centuries. We consider the last 175 years of the history of institutional translation—and endeavour to imagine the next 25—in a multilingual territory which has undergone major political, geographical and linguistic changes over the last two centuries: South Tyrol. These changes have had a huge impact on the architecture of public institutions and their translation policies, although tradition played—and still plays—a primary role beyond acquired linguistic rights.

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2. In this paper, we use the term "non-professional translator" as defined by Antonini *et al.* (2017).

Starting from the symbolic date of 1848, when the Austrian empire was shaken by uprisings that led to massive reforms, we will travel back in time to observe how translation was carried out in Habsburg institutions. With the fall of the empire at the end of the First World War, we will see how institutional translation substantially changed in the new South Tyrol under the Kingdom of Italy, led by Mussolini's Fascist regime (1922). We will then retrace relatively quieter times, discovering how the Statute of Autonomy (1948), and then the New Statute of Autonomy (1972), gave new vigour to translation. Moving from the present, we will finally project ourselves into the immediate future, imagining our journey concluding exactly two centuries after 1848, with considerations on the institutional use of machine translation.

To outline the different stages, we make use of legal sources and the results of some relevant studies. As far as the Habsburg era is concerned, we refer to Wolf's (2015) outstanding work. For the description of the Fascist era, we mainly draw on historical sources. To describe the contemporary era, we make use of the results of a doctoral project (De Camillis 2021). Finally, to speculate on machine translation and its future impact on local institutions, we rely on an exploratory study (De Camillis *et al.* 2023). Although there is not an equal amount of data available for each of the different eras, we can at least offer a diachronic overview of translation modalities in local institutions.

2. South Tyrol

South Tyrol (*Südtirol* in German and Ladin, *Alto Adige* in Italian, also known as the Autonomous Province of Bolzano-Alto Adige) is an Italian province on the border with Austria with approximately 505,000 inhabitants (Several authors 2023: 47), enjoying unique and extensive legislative, administrative, fiscal and political autonomy (Bin 2001: 244-247). According to data from the last census (Several authors 2023: 119), today's population in South Tyrol is made up of 69.6 % citizens from the German group, 25.8 % from the Italian group, and 4.6 % from the Ladin group.

Originally inhabited by Rhaetian peoples, this land became a Roman province in 15 B.C. After centuries of Roman domination, it joined the Holy Roman Empire mainly under the influence of the Bavarians. From the 13th century onwards, the Counts of Tyrol established themselves among the dynasties in the area, and Mainard II of Tyrol in particular is considered the founder of the county (Romeo & Oberkofler Berger 2012: 20). He succeeded in unifying the territory and ensured an effective economic, legal and political organisation, but his heirs lost the county to Rudolf IV of Habsburg in 1363.

Back then, the Tyrol area was rich in mineral resources and had a central location in the Habsburg Empire, being a strategic area between the western and eastern territories. In the 15th century, the Tyrolean peasants consolidated their rights by supporting Duke Friedrich IV. Thanks to Emperor Maximilian I, Tyrol grew and gained more autonomy through the *Landlibell*, a document that allowed Tyroleans to participate in tax contributions and the defence of their own region. Legal and economic reforms, that led to reduced rights and increased taxation for the peasants, brought Tyroleans together in the first Tyrolean uprising in 1525. The insurrection, however, ended in a deadlock (Romeo & Oberkofler Berger 2012: 31). In the following centuries, several succession wars shook the Habsburg family, while local autonomies were increasingly losing their power.

The era of Maria Theresa, at the end of the 18th century, changed the traditions and management of the empire radically, introducing more order and administrative rigour, a new religious layout and a further reduction of regional powers. Shortly afterwards, Tyrol was involved in the defence of the Empire from the French threat. Despite the defeat of Austria, the principalities of Trent and Brixen were attributed to Tyrol. The transfer of Tyrol to the Kingdom of Bavaria in 1805 caused discontent among the Tyrolean people who, once again, rebelled. The rebellion was quelled within a few months, but the belief that Tyrol could return to Austria persisted for a few years. When it became clear that Tyrol would remain in the Kingdom of Bavaria, the legendary commander of the *Schützen* and interim governor of Tyrol, Andreas Hofer, stepped up to lead the resistance to the bitter end until his death sentence.

For a few years, Tyrol was split into three parts: one part remained under direct French control, another belonged to the Kingdom of Bavaria, while the southern provinces fell under the Kingdom of Italy, becoming the Department of South Tyrol with Trento as the capital city. The official language in this area changed from German to Italian but the use of German was still allowed (Romeo & Oberkofler Berger 2012: 47-48). In 1814, Tyrol fell back under Austrian control.

In the wake of Irredentism, Italian Tyrol spent the last century under the Habsburgs with harsh internal reforms and autonomist uprisings. In the next section, we will see how the agitation of that time also influenced the linguistic functioning of the institutions.

3. The Habsburg Era (1848-1918): civil servants as translators

> Looking at translation activity in the Habsburg Monarchy for the period under study, we find only a low degree of institutionalization apart from a few exceptions. The explanation for this may be sought first and foremost in the widespread bilingualism or plurilingualism among civil servants, which—despite frequent quality problems—made professional translating or interpreting dispensable and contributed to a communication system largely founded on improvisation and *ad hoc* creativity. A further reason may be that the enormous demand for linguistic mediation itself brought forth a tacit view among much of the population that routine, and indeed more complex, situations could usually be tackled without the need for professional support. Perhaps the principle of "muddling through" (*Fortwurschteln*), that cliché so often used by contemporary and present-day commentators to describe the functioning of the Habsburg state, helps to explain the incomplete institutionalization of translating and interpreting. When the multiethnic state required such services, it was simply too tempting to knock on the door of a fellow bureaucrat in the next office, however haltingly he spoke the language in question. (Wolf 2015: 104)

This lengthy quote by Wolf depicts in a few, yet extremely clear, words the subject of her impressive historical investigation, that is, how the institutions of the Habsburg era managed translation. The enormous size of the empire and the many nationalities within it required solid communication strategies, which, however, gained little momentum. Wolf chose the

year 1848 as the starting point for her investigation, as that was a decisive moment for the empire. The uprisings gave rise to the government drafting a first version of a Constitutional law, finally promulgated in 1867. The Constitution ratified the equality of all nationalities, although, over time, compliance with this principle proved to be unsustainable. One key factor was the equalisation of national languages and the promotion of their preservation and use (Wolf 2015: 35-36).

Knowledge of a language other than one's own was extremely common among the inhabitants of the empire, as was using more than one language in both informal and institutional contexts. According to Wolf, translation played an identity-building role, even and especially within institutions such as the administration, the school or the army. However, with the only exception of laws, there were no rules defining who should carry out the translations of legal and institutional texts and what the remuneration should be. Although an enormous volume of translations was needed to keep the multilingual empire working, in her research Wolf did not come upon a large number of official translators and interpreters. What is certain is that Tyrol's official languages at the time were German and Italian, a key aspect with a direct impact on civil servants' working practices.

There are insufficient historical documents to testify to the translation policies of each administrative entity in the empire. We can only deduce how translation was carried out in Tyrol—and, in particular, in what is now South Tyrol—drawing on other documented experiences from the time. We do know that it was common practice to assign translations, among other duties, to bilingual or multilingual employees (Wolf 2015: 66). This was also the case for the translation of laws and other legal texts edited by the office in charge of the *Reichsgesetzblatt* (the Official Gazette), where mere bilingual civil servants, not expert translators, worked, as we will see in a moment.

In 1787, it had already been decided that laws and patents should be translated into all the languages of the empire, each text divided into two columns with the local language on the left-hand side and the German version on the right. This task was assigned to government translators (*Gubernialtranslatoren*). The same principle was applied several years later

for the translation of the civil code (*Allgemeines Bürgerliches Gesetzbuch*), an endeavour that proved particularly demanding due to terminological challenges, as much as the need for constant updates to the law.

In 1849, with the promulgation of the first Constitution—which was very short-lived—it was stipulated that each province of the empire should have access to the Official Gazette in its own languages, so the content of the Gazette would be translated into the ten languages of the empire. This measure, however, lasted only three years (1849-1852) until it became evident that so many co-official versions generated prohibiting costs. To support the terminology work in the first legal translations of the Gazette, a terminology commission was assembled, producing around 8,000 terminology entries per language within a few months (Wolf 2015: 84-85).

In 1853, German was declared the only official language for the legislative area, but in 1861 an interministerial conference reintroduced the obligation to translate into the local language. A debate raged over who should carry out these translations, and, primarily, whether the responsibility should lie with the department issuing the Official Gazette—whose staff, in the meantime, had been considerably reduced—or with the departments located in the provinces. The Compromise of 1867 put an end to this quarrel by reintroducing the compulsory translation of laws into the common languages (*landesübliche Sprachen*) and the concurrent publication of the German version. Logistical difficulties and the outbreak of the First World War hindered the implementation of this measure considerably.

Moreover, most likely due to the lack of professional training for translators, the staff from the department of the Official Gazette, as well as from other offices and ministries, were assigned translations primarily on the basis of their expertise in a given field. Legal knowledge was given much more importance than actual translation skills. Apparently, language skills were considered important too, although they were often measured by testing translation performance on a legal excerpt (Wolf 2015: 91-96).

In conclusion, civil servants of the Habsburg institutions were called to translate institutional texts, including legal texts, because of their linguistic and specialised knowledge rather than their translation skills. This also shows how little consideration was given to the translation task, regarded

as only one of many administrative duties, for which hiring exclusively dedicated staff was deemed unnecessary.

4. The Fascist Era (1922-1945): no translation

At the end of the First World War (1918), and owing to its defeat, the Habsburg Empire was dissolved and its territories divided into independent states or ceded to other states. The southern part of Tyrol was annexed to the neighbouring Kingdom of Italy. At that time, the fascist movement was rising in Italy and, only a few years later, a Fascist government was installed (1922).

Until then, South Tyrol (which, at that time, also included present-day Trentino) had been predominantly inhabited by German speakers. Only 4% were Italian speakers (Lanthaler 2007: 5). Since the early years after the takeover, the Fascist government initiated a powerful policy of Italianisation and suppression of German culture (Romeo 2005: 53, 64-65). There was no longer room for the institutional translation policies of the former empire. German was officially banned from public life and everything was translated into Italian. Institutional translation policies experienced a major setback in this era.

The first measures adopted by the fascists concerned the linguistic and cultural aspects of the local population. Italian became the only official language and the public use of German was prohibited. Senator Ettore Tolomei drew up and completed an assimilation programme, with linguistic, administrative and economic measures. He described his intentions as follows:

> The Germans of South Tyrol must understand that the Fascist government—while respecting the consciences and customs and aiming at the peaceful coexistence of the two races—shall not guarantee the preservation of Germanism in the South Tyrolean region as demanded by the *Deutscher Verband* from past governments and from this one also. On the contrary, the government opens its doors wide to the rising and naturally asserting Italianism. With every form of penetration, it supports the assimilation of this borderland into the great unity of the Nation. (Tolomei 1928: 271, translation by the author)

German-speaking civil servants were removed or forced to learn Italian to keep their jobs. In the courts, Italian became the official language and the use of German in public offices was gradually banned (Toso 2006: 77). As the names of urban streets and natural places "down to the last cottage" (Tolomei 1928: 280) could no longer be in German only, the Italian-German double denomination was admitted, prioritising the Italian. For the translation, Tolomei used pre-existing names either translated literally from German or invented from scratch (Lantschner 2007: 6). The term *Tirol* was officially suppressed. First and second names were also translated into Italian (on gravestones, even) or Italianised. The German-language press was threatened with forfeiture if it used the term *Tirol* or any of its derivatives, as these stood in opposition to the national spirit. The Bolzano newspaper *Der Tiroler* is just one such example of discontinued press. Austrian press was forbidden from Brenner to Salorno. To support the assimilation process, Carabinieri—preferably from the adjacent Lombardy and Veneto regions—were enlisted in South Tyrol in greater numbers than in other regions. They were taught German and local customs to facilitate the "penetration process" into the target society. German-speaking Carabinieri who also knew Italian were not to be considered for these positions. Finally, the counting of Ladin people in the census was abolished, as Ladin was considered only a dialect spoken by Italian mountaineers (Tolomei 1928: 273-280).

German schools and teaching were abolished. The Gentile Reform of 1923 did not foresee any teaching hours of German. Education had to take place in Italian, the only language that "every citizen must know" as the national language (Tolomei 1928: 285). At that time, the German-speaking population did not organise itself into a robust resistance (Peterlini 2013: 118), with the exception of schools. With the collaboration of the Church, secret and informal schools, known as *Katakombenschulen*, were set up in private cellars or attics; Fascist control never managed to completely remove them. Indeed, they existed until 1940, when German language schools were officially reintroduced (Lantschner 2007: 7).

In addition to linguistic and cultural measures, the government established an ambitious plan of immigration from the rest of the kingdom. Jobs

in administration, the courts and the post office, as well as positions in emerging industries and even in construction and agriculture, accompanied by promises of housing incentives, represented attractive opportunities for many citizens from other regions. In agriculture, however, farmers were unable to integrate into this region, mainly due to their inexperience with mountainous and sloping ground. Nevertheless, the planned measures led to massive immigration: in 1939, Italian was the language of 24% of the population (Lantschner 2007: 8), representing a 20% growth in around 20 years.

Despite Tolomei's work, in the late 1930s, the Fascist regime realised that the cultural assimilation of the Tyrolean population had failed. In agreement with Hitler, Mussolini therefore decided to offer the German-speaking population the option of either staying in Italy (*Option*) and accept total assimilation, or emigrating to the *Reich* lands while ceding their Italian possessions. Both leaders exerted strong pressure in favour of emigration, which led 86% of South Tyroleans to choose Nazi Germany (approx. 185,000 people). The outbreak of the Second World War stopped the exodus: only 77,000 left and many returned once the war was over (Toso 2006: 78).

5. The First Statute of Autonomy (1948-1972): scarce translation

After the Second World War, the Fascist dictatorship, the Kingdom of Italy and the monarchy fell apart. In 1946, the Italian population voted for the Republic and a few years later the Constitution was promulgated (1948). Representing the German-speaking community, the Christian-Democratic party *Südtiroler Volkspartei* (SVP) was founded in 1945. It immediately demanded the reintegration of the region into the newly founded Austrian Republic. International pressure for a peaceful resolution of the South Tyrolean question resulted in the Degasperi-Gruber Agreement, signed in Paris on 5 September 1946 by the Italian Prime Minister and the Austrian Foreign Minister. The agreement provided for the recognition of German as a co-official language in the region and equal rights between the German-speaking and Italian-speaking population, both in primary and secondary

education as well as in public employment. The agreement forged the international protection of the South Tyrolean German-speaking community by Austria (Lantschner 2007: 10), which became its kin-state, that is, its homeland (Poggeschi 2010: 24). The agreement also provided for the reintegration of German toponymy and original surnames, as well as equal rights for access to public employment.

The implementation of the agreement was unfortunately incomplete. The first Statute of Autonomy, issued by constitutional law in 1948 (a few months after the Constitution) applied to the entire Trentino-Alto Adige Region and not just to the Province of Bolzano. The German-speaking community was a tiny minority at the regional level, while at the provincial level it was more substantial. The Statute ratified some fundamental principles of language protection, taking up those agreed upon in the Agreement, but their implementation was insufficient. It proclaimed equal rights for all citizens regardless of their linguistic group; the safeguarding of ethnic and cultural characteristics; the students' first language as the teaching language, used by teachers of the same mother tongue in all levels of education; and the compulsory teaching of Italian in German-speaking schools. Regional and provincial laws were to be translated into German, as well as national laws of local interest, although only the Italian version had legal effects. Italian was the official language, but German could also be used in the public offices located within the province or regional jurisdiction. Notwithstanding, as the regional council's majority was permanently in the hands of Italian-speakers, any measures in favour of the German minority were almost impossible to approve (Peterlini 2012: 139). The possibility—rather than the right—to use the German language within public offices prevented the full application of these measures. These limitations led to the Statute's reform over the following twenty years.

As the Italian government did not abide by the 1946 agreements, the Austrian government denounced its non-compliance to the UN. In the years that followed, heated clashes in the streets and intense negotiations led by Silvius Magnago—president of the SVP since 1956—demanded the completion of the autonomy process. The Ministry of the Interior launched the Commission of 19 and tasked it with proposing measures to resolve the

South Tyrolean question through the revision of the 1919 Treaty of Paris. The Commission produced 137 proposals, the most significant of which was the transfer of autonomy from the regional to the provincial level.

This legislative overview shows us that the first twenty-five years of autonomy prepared the ground for a return to institutional translation. However, the measures put in place did not immediately lead to the reintegration of the German language into public life. We do not know about the translation practices of those years in great detail, but it is possible that the first attempts at translating laws were made. It took an update of the Statute and more than 50 years (from 1918 to 1972) to bring translation in local institutions back into full swing.

In the next section, it will become clear how the Habsburg era inspired the restoration of the translation framework in local institutions at this time. There is definitely common ground between imperial and contemporary institutional translation.

6. The Second Statute of Autonomy (1972-2022): civil servants as translators

The proposed amendments to the Statute prompted the new Statute of Autonomy, which came into force as Presidential Decree 670/1972 and substantially altered the extent of autonomy in the two provinces. The provincial self-government ensured the protection of local minorities and the co-existence of linguistic groups (Palermo 1999: 672). With the new Statute—and more specifically with its implementation provisions—South Tyrol was granted real political and cultural autonomy. This was also recognised internationally by Austria, which in 1992 issued "an 'acquittal' through which the international dispute [was] declared officially closed" (Toso 2006: 79, translation by the author).

The New Statute put the German language on equal footing with Italian. It confirmed the simultaneous promulgation of the two language versions of a legislative text, arranged in two adjacent columns (as was the case in Habsburg times), while nevertheless prioritising the Italian version in the case of diverging interpretations. Moreover, the implementation provision Presidential Decree 574/1988 also established the mandatory

German translation of national laws and decrees of territorial interest, as well as acts intended for the general public (e.g. provincial laws), individual acts intended for public use (e.g. identity documents) and acts intended for several offices (e.g. circulars). The Statute also set up the Joint Terminology Commission, outlining legal, administrative and technical terminology which was then compulsory for legal and institutional documents (the reader will recall a similar body established around 1850). The new law also provided for the right for German-speaking citizens to use their language in court and public office dealings. Toponymy in the German language was ultimately reintroduced.

The New Statute confirmed the proportional representation of the linguistic groups in local public bodies, in national administrations within the provincial territory and in the courts, so as to achieve an equal distribution of staff between the three groups (Italian, German and Ladin). For staff of national, regional and local administrations, as well as judicial bodies and the Provincial Council, the implementation provision Presidential Decree 752/1976 foresaw mandatory competencies in both Italian and German at a level sufficient for the smooth operation of services. Language skills are tested by means of a one-off exam to acquire a certificate of bilingualism, currently divided into four levels in accordance with the Common European Framework of Reference for Languages: A2, B1, B2 and C1.

The cited provisions brought substantial change for institutional language policies. They did not, however, provide information as to who should be responsible for the daily translation of documents issued by the provincial administration and other local authorities, nor how and when these translations should be prepared. The only exception is represented by the Office for Linguistic Issues, an internal department of the provincial administration, whose aim was, and still is, translating and proofreading legislative acts (Ladin included), and linguistic and terminological consulting. The management of non-legislative translations remained essentially unstructured. Nonetheless, from a purely contractual point of view, translation is foreseen as a general task for all staff (Collective Bargaining Agreement of 8 March 2006).

A study carried out between 2017 and 2020 (De Camillis 2021) revealed some key aspects related to translation practices in the provincial administration. In 2018, 42% of the administration's employees (1,276 people) participated in a questionnaire on translation practices. The results detailed how translation works in the institution beyond normative prescriptions and led to the conclusion that translation management is fragmented, poorly coordinated and mostly not standardised.

In keeping with the definition of Antonini *et al.* (2017), institutional texts are translated by employees who can be considered non-professional translators. We will elaborate on their profile in the next paragraph. 66% of the respondents stated that they had translated texts in the previous 12 months, in most cases (84%) for no more than a quarter of their working time. Overall, we estimated that adding up the individual time every employee spends on translating texts equates to the work of a minimum of 40 and a maximum of 217 full-time employed translators. If grouped together, the translating civil servants would constitute a language service of considerable size. The institution clearly devotes extensive time resources to translation, as this is an essential step in administrative and communicative processes. However, there is no explicit regulation of the activity defining responsible persons and standard procedures.

Those who translate do so on the sidelines of other prevailing tasks; they are not hired specifically to translate nor do they receive additional remuneration for it. They translate by virtue of their bilingual competence and specialist knowledge. Only 5% of them have a background in languages. 49% have a secondary school diploma, mainly technical (e.g. surveying, accounting, agriculture, etc.); 45% have a university degree, mainly in law, biology, economics and political science. More than two thirds of the respondents have a C1 level certificate of competence in Italian and German, but 25% have a B2 level, 5.5% a B1 level and 0.5% an A2 level. It should be noted that, despite a certain degree of bilingual competence—a factor that brings civil servants in line with non-professional translators, generally, and with Habsburg's civil servants, in particular,—knowledge of the two languages is, in most cases, asymmetrical (usually, one is the first language, the other the second language). Moreover, the official language

certificate often does not represent current language skills. Following the one-time exam taken prior to employment, there are no further requirements nor recurring assessments with regards to language proficiency.

Moreover, linguistic knowledge is especially relevant to our analysis because the prevailing translation direction that emerges from this study is from L1 to L2. Among the respondents in the local administration, 60% of those who know Italian better than German translate predominantly into German, while 63% of those who know German better than Italian mostly translate into Italian. Only those who declare themselves "bilingual" translate more proportionately: in 51% of cases they translate into Italian, and in 49% of cases into German. Regarding translation direction, the South Tyrolean administration diverges from the usual practices of international institutions, where professional translators usually translate into their own L1. This shows us how minority language contexts can deviate from the institutions typically analysed in this field.

As far as the type of text is concerned, civil servants in the provincial administration mainly translate correspondence (43%), resolutions and decrees (35%), communications (34%), forms (21%), reports (16%) and technical texts (15%). The primary domains of these texts are agriculture and the environment (21%), construction (19%), economics (18%) and culture (13%). Law and administration was reported by 41% of the respondents, but is also clearly a transversal field. We were able to identify that 65% of translating civil servants are highly specialised in their domain, within which they usually translate different types of text. The remaining 35% include translating civil servants with more transversal skills, specialised in different fields and different types of text.

It is also worth mentioning that civil servants do not have any technological tools for translation at their disposal, be those CAT tools, translation memories, specialised dictionaries, terminology databases, corpora, or machine translation (MT) systems. On their own initiative and for their own use, some civil servants occasionally compile glossaries.

From the study, we clearly detect, on one hand, the lack of adequate recognition of the professional skills of the translator and, on the other, the main criterion for assigning translations within the offices: whoever

has the greatest language skills. 52% of employees are always or often both the author and translator of a text. More than 60% of them also proofread translations conducted by colleagues.

To conclude, institutional translation in the administration today is primarily handled by civil servants who know the two languages. Some of them translate occasionally while others are fully fledged reference persons for language issues in their offices. The technical resources at their disposal are practically non-existent and their specialised knowledge matters much more than translation skills when it comes to completing a translation project. It should now be evident to the reader that there are huge differences between how institutional translation is managed and organised in large, multilingual and international institutions, such as the EU, compared to smaller ones, such as South Tyrol.

We can affirm that, over the course of almost a century, despite the advances of the 21st century, such as the constitution of university faculties and training courses for professional translators, the management of institutional multilingualism has not substantially changed in South Tyrol.

7. From the Present to the Future (2023-2048): will machines translate in place of civil servants?

As we have seen in the previous section, in South Tyrol's main public institution—the local administration—translation is still mainly managed by internal staff. There is a lack not only of coordination between departments, but also of shared resources, even those that are now almost taken for granted in the world of professional and institutional translation (e.g. translation memories, terminology databases, CAT systems, etc.) and which promote the standardisation and uniformity needed for institutional translation. Missing resources also include a specific MT system.

However—or, perhaps, precisely for this reason—,MT is gaining ground among administrative offices. Substantial improvements in the quality produced by MT systems with the neural turn of a few years ago (Kenny 2022: 43), has cleared the way for the use of free online tools even in the local administration. Poor knowledge of the technical functioning

of MT systems, and the ever-increasing (or at least constant) volume of texts to be translated without any real support (e.g. technical resources, training, coordination, professionals) have driven some departments, in the last couple of years, to purchase licences for DeepL Pro[3] despite its obvious limitations. It seems clear that the technological translation revolution has broken out in South Tyrolean institutions, too. But will neural technologies plausibly replace the translation work of civil servants?

To answer this question, we use the results of a recent exploratory analysis on MT for South Tyrolean institutions (De Camillis *et al.* 2023). In this study, we annotated the errors made by an MT system trained on a corpus of provincial decrees and laws in order to assess the deficiencies of these technologies. For pluricentric languages, we are aware that free, online MT systems do not, to this day, provide for language varieties of, say, German, French or Spanish, (the only exception being some varieties of English and Portuguese). This aspect has huge importance for legal, and therefore institutional, translation, given that each variety employs a linguistic code that more or less diverges from that used by other legal systems of the same language. A legal text is usually translated from one legal system to another, or within the same legal system if this is multilingual, as is the case of South Tyrol or Switzerland. MT systems available online are mainly trained using texts from the European legal system, the biggest one in the German-speaking area in terms of the quantity of bilingual texts. For this reason, these systems cannot always offer an acceptable result for South Tyrol. Furthermore, machine translation of legal language per se is still flawed, at least in some language combinations (Wiesmann 2019) more than others (Ive *et al.* 2020; Foti 2022). This is caused by the inherent complexity of law: terminology from different fields; a strong link to common language; convoluted syntax; and abundant internal and external references (Mattila 2018).

By training an MT system with South Tyrolean texts, it should be theoretically possible to solve most of the terminology issues, or at least improve the performance of the machine considerably. This was the starting

3. https://www.deepl.com/it/pro

hypothesis of our exploratory study, where we fine-tuned a commercial MT system (ModernMT) within RWS Trados Studio with the South Tyrolean LEXB corpus of legal texts (Contarino 2021) and a corpus of national laws, translated for South Tyrol. In total, we used 203,000 bilingual segments. With the trained system we translated a corpus of provincial decrees (26 texts per language corresponding to 72,000 tokens) that were not present in the training corpus, from German into Italian and vice versa, achieving a remarkable improvement in translation quality. According to the most widely used automatic metric, the BLEU score, we found a 45-point improvement over the translation processed by the ModernMT baseline system (26.65 vs. 71.22)[4].

We carried out an in-depth analysis of the 52 texts translated by the trained system by means of an error annotation campaign exploiting an adapted version of the annotation scheme of Tezcan *et al.* (2017). We looked for accuracy and fluency errors and followed the necessary steps to create a gold standard corpus.

Most of the accuracy errors are of a terminological, phraseological and semantic nature,—as expected and indicated by Heiss & Soffritti (2018), as well as Contarino (2021)—along with omissions, additions and problems related to gender-sensitive language. Indeed, in comparison to other German variants, terminology and phraseology are the main distinguishing features of the South Tyrolean legal language. All terminological errors do not, however, boil down to a unique pattern. Some mistakes can be easily resolved: *Landesgesetz* translated as *legge statale* instead of *legge provinciale*, or *Frauenbüro* rendered *Ufficio delle donne* instead of *Servizio donna*. In South Tyrol, these terms recur in almost all cases in fixed couples with little to no inconsistency. Thus, the instruction given to the machine should, in theory, resemble a one-to-one glossary.

Other, more complex cases concern context-related issues such as polysemy, synonymy, short forms and links with the common language. Instances such as *Heim* (which in Italian can mean apartment, house, fatherland or structure) and *Einrichtung* (system, plant or structure, in

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4. For a detailed overview of the corpus, see De Camillis *et al.* (2023).

Italian) used to refer to the term *Seniorenwohneim* (*residenza sanitaria per anziani*, retirement home) is a much more difficult scenario to resolve. For the machine, it is currently impossible to conclude that the three different terms refer to the same concept.

Terminology refinement happens to be one of the most studied topics in the field of MT today, as well as being a key issue to resolve for South Tyrol. According to the state of the art and the results gathered from our analysis, it seems reasonable to imagine that, over the next 25 years, fellow scholars will develop a solution to residual terminology issues, as well as an MT system suitable for South Tyrolean institutions. A complete replacement of civil servant translation work with such a system does not, however, seem likely. It would, presumably, change their work substantially, possibly simplifying it, but definitely not replace it. In 2048, in the local administration—and probably throughout the entire province—translation will most likely be largely automated, and institutional employees will mostly proofread and correct the output of the machine to improve its performance.

8. Conclusions

In this paper, we first retraced 175 years of history of institutional translation and then speculated on the next 25. Our analysis focused on the territory that today bears the name of South Tyrol, an Italian province that two centuries ago belonged to the Austrian empire, a century ago to the Kingdom of Italy under the Fascist regime, and today enjoys a high level of autonomy.

This land has historically been inhabited by peoples of different languages, making multilingualism inherent to its nature. Multilingual by definition, the Habsburg Empire brought together many different nationalities and languages. From 1848, the empire began to address this plurality by deciding that the translation of laws and other legal documents would be mandatory. This measure was carried out inconstantly and amidst great difficulty, but the people responsible for it were always civil servants. At that time, speaking more than one language was so normal that it was almost taken for granted, in both formal and informal contexts. Thanks to

these skills and their technical—especially legal—knowledge, it was not necessary for the institution to hire translation experts. Civil servants were adequate, even when it came to translating particularly complex texts such as laws. It is also true that in the 19th century, neither the figure of the professional translator nor the university training courses of today existed. Translation was not recognised as a real profession.

The Habsburg experience ended in 1918, when the Austrian Empire fell apart and South Tyrol was annexed to the Kingdom of Italy. Mussolini's Fascist regime enforced monolingualism on what was then designated as *Alto Adige* (South Tyrol), even in institutions. German was banned and employees forced to use Italian in offices even though only 4% of the population spoke it. Everything was translated into Italian, from place names to surnames, and the use of German in any public context was gradually forbidden. This led to a setback for translation in institutions, which for 30 years only spoke Italian.

Once Fascism ended, the newly founded Italian Republic set out to resolve the South Tyrolean question in a democratic way. Clearly, the trauma of the Fascist era led the South Tyrolean population to long for a reunification with their homeland, the soon-to-be Austrian Republic. Instead, autonomy was chosen as one of the first measures enacted by the new national government, along with linguistic rights to protect the German minority. The Statute of Autonomy (1948) promulgated these rights but proved insufficient to bring the German language back into public life and thus reintegrate translation into the institutions.

The citizens of the region had to wait until 1972, for the promulgation of the New Statute of Autonomy and subsequent implementation provisions, to see a substantial change in translation policies. German was finally equalised with Italian, becoming a co-official language. The new Statute sanctioned the obligation to translate laws and almost all administrative acts, as well as mandatory proficiency in both official languages to work in local public institutions. German-speaking and Ladin-speaking civil servants returned to the institutions in accordance with a quota proportional to the size of the language groups. Finally, a central translation office was established within the administration (The Office for Language Issues),

responsible for the translation of laws. These promising measures, however, did not solve all issues. The new regulations neglected to define many aspects of translation policies. We know that institutional texts are still, for the most part, translated by civil servants, that is, staff with linguistic and specialised knowledge. They are not professional translators; on the contrary, they are usually experts in a specific field and with knowledge of the administrative-legal system, who translate institutional texts alongside many other administrative duties.

Surprisingly, the 20th century evolution in the world of translation did not involve South Tyrol, in the way that it affected European institutions. From 1972 to the present day, university faculties, the figure of the professional translator, and the development of the discipline linked to theoretical studies and increasingly accurate technologies, were apparently irrelevant for the definition of translation policies. South Tyrol seems to have, rather, found inspiration in the translation framework of the Habsburg era. The bilingualism and specialised knowledge of staff have been and are still considered to be sufficient to cope with translation.

We can hypothesise three reasons for this choice. Firstly, it may be due to reduced economic resources, since a large group of translation professionals is more expensive to maintain than the existing administrative personnel. Secondly, it could be connected to a certain reluctance to change related to the importance of tradition. Finally, it may be down to efforts to prevent any possible repetition of the Fascist experience of linguistic and cultural tyranny. If every civil servant is required to know and use the two languages on a daily basis—instead of restricting this function to experts (professional translators)—, it is less likely that one culture will prevail over the other.

The only factor successfully challenging the traditionalist layout of South Tyrolean institutions is the emergence of new translation technologies. Although neural systems are not yet able to handle legal translation for South Tyrolean German smoothly, it seems reasonable to imagine that over the next 25 years, pending issues—especially those related to terminology—will be solved. Machine translation will thus become an essential step in the institutional translation process at civil servants' disposal. Civil

servants will likely still take part in the process by performing the final steps of proofreading and correcting the output produced by the machine.

It is no coincidence then that it is this technology that is turning South Tyrolean institutions upside down. In the last 25 years, professionals in the field of translation, as well as large, multilingual institutions such as the European Union, have enjoyed many other state-of-the-art technologies (CAT, terminology databases, corpora, etc.). In contrast, an institution strongly anchored in tradition such as the South Tyrolean administration, which has relied on the work of civil servants for centuries, finally shows interest in this specific translation technology, probably because this (and this one only) can be also used by non-professional translators. Machine translation allows the institution to evolve without major changes, avoiding any structural adjustments or new internal imbalances, thus preserving its original essence.

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BIONOTE / NOTA BIOGRÁFICA

Flavia De Camillis was a post-doctoral researcher at the Institute for Applied Linguistics of Eurac Research, Bolzano, Italy until 2023. In 2021, she received her PhD in Translation, Interpreting and Intercultural Studies from the University of Bologna. Her dissertation focused on non-professional translation in a multilingual public institution. Over the last years, she has participated in several national and international conferences and has published papers on institutional, non-professional and machine translation. A more detailed curriculum can be retrieved on her ORCID profile: 0000-0002-7228-5629.

Flavia De Camillis è stata ricercatrice post-doc all'Istituto di linguistica applicata di Eurac Research, Bolzano, Italia fino al 2023. Nel 2021 ha conseguito il dottorato in Traduzione, Interpretazione e Interculturalità presso l'Università di Bologna, con una tesi incentrata sulla traduzione non

professionale in un contesto istituzionale multilingue. Negli ultimi anni ha partecipato a conferenze nazionali e internazionali e ha realizzato alcune pubblicazioni sui temi della traduzione istituzionale, non professionale e automatica. Un curriculum accademico più dettagliato è disponibile sul suo profilo ORCID: 0000-0002-7228-5629.