https://doi.org/10.52505/1857-4300.2026.1(326).03
CZU: 81’25:34

Strategies for Rendering European Union Legal Terminology into Romanian

Gabriela ȘAGANEAN

Doctor în filologie, conferențiar universitar
E-mail: g_saganean@yahoo.com
ORCID: https://orcid.org/0000-0001-7772-2405
Universitatea de Stat din Moldova

Strategii de traducere a terminologiei juridice a Uniunii Europene în limba română

Rezumat

Articolul analizează principalele strategii utilizate în traducerea termenilor juridici ai Uniunii Europene din limba engleză în limba română. Având în vedere caracterul multilingv al UE și principiul autenticității egale a tuturor versiunilor lingvistice, traducerea juridică constituie o parte esențială a procesului legislativ al UE, având drept scop asigurarea unor efecte juridice identice în toate statele membre. Studiul trece în revistă, de asemenea, principalele abordări teoretice ale traducerii juridice europene, punând accent pe cea funcționalistă, bazată pe echivalența funcțională, și pe perspectiva comparativă, care concepe traducerea ca pe un proces de mediere între sisteme de drept distincte. În acest context, studiul explorează cele mai frecvent utilizate strategii de traducere a termenilor în discursul juridic al UE: echivalența funcțională, împrumutul, calchierea și traducerea descriptivă.

Traducerea corectă a textelor juridice ale UE presupune nu doar competență lingvistică, ci și o bună cunoaștere a dreptului comunitar, a sistemelor juridice comparate și a terminologiei instituționale.

Cuvinte-cheie: echivalența funcțională, împrumutul, calchierea, traducerea descriptivă, strategii de traducere, terminologia comunitară, abordarea funcționalistă, abordarea comparativă.

Abstract

The article investigates the principal strategies used in the translation of European Union legal terms based on English–Romanian corpus. Owing to the multilingual character of the European Union and the principle of equal authenticity of all language versions, legal translation constitutes an essential part of the EU legislative process, aiming to ensure identical legal effects in all Member States. It also reviews the main

theoretical approaches to EU legal translation, emphasising the functionalist one, based on functional equivalence, and the comparative perspective, which frames translation as mediation between distinct legal systems. Within this framework, the most frequently used translation strategies in EU legal discourse: functional equivalence, borrowing, loan translation, and descriptive translation are explored.

The article concludes that accurate translation of EU legal texts requires not only linguistic competence but also solid knowledge of Community law, comparative legal systems, and institutional terminology.

Keywords: functional equivalence, borrowing, loan translation, descriptive translation, translation strategies, Community terminology, functionalist approach, comparative approach.

Introduction

The legal system of the European Union is a complex, independent and autonomous system when compared to national legal systems, created by the standards of the Community institutions and by the relevant case law. In the European legal jargon, the *acquis communautaire* refers to the body of rules that constitute Community law: the treaties setting out the objectives of the Union and the functioning of the Community institutions, protocols, declarations, resolutions, and acts adopted by EU institutions in the context of the Common Foreign and Security Policy (CFSP) and cooperation in the field of justice. The original French form is usually used in English, although there are cases when sometimes Community acquis is preferred.

Community law has developed its own legal concepts, which have different connotations from those existing in the legal language of the Member States of the European Union. These concepts address not only specialists in jurisprudence, but equally linguists and translators. EU documents are unique for the Member States; this is why precision and rigor in notions and concepts are essential for the implementation of the law, which must be observed by the citizens of each Member State of the Union.

Knowledge of the institutions and mechanisms of the European Union has become a necessity for every European citizen, and the translation of Community legislation is a complex process that requires coordination and cooperation, calling for the efforts of a large number of translators, revisers, terminologists, and legal experts.

Terminology Used in the European Union

Community terminology is based on new concepts, as the European Community has created a specific language by using original concepts that required designation. In general, the vast majority of the European concepts are not entirely new within the Romanian conceptual framework and have been relatively easy to adopt; moreover, the quality of a neologism must allow the concept to integrate and remain coherent within the conceptual network. There is a predominance of syntagmatic structures at the level of issues related to the structure of terms.

The terminology of the European Community comprises community terminology made up of terms related to the functioning of institutions, common policies, the European integration and technical terminology of the fields to which the European normative acts refer. The EU-specific terminology has been referred to in the mass media as the "Brussels language". In 2007, IATE (Inter-Active Terminology for Europe) was established as the EU's unique terminological database, used by the translation services of the European institutions since 2005. It brings together the terminological databases of EU institutions and bodies into a single large database containing almost nine million terms in all the official languages of the Union. IATE ensures the coherence and reliability of terminology, which is indispensable for producing clear and unambiguous texts, necessary to guarantee the validity and transparency of the legislative process, as well as effective communication with the citizens of the Union.

Thus, Inter-Active Terminology for Europe (IATE) is the interinstitutional database of the European Union. The project was launched in 1999 with the aim of creating a web interface for all terminological resources, so that information would be more easily accessible and standardisation across the European institutions could be ensured. It has been used within European institutions and agencies since the summer of 2004. A public user interface was launched for testing in early 2007 and was officially opened on June 28, 2007. IATE incorporates all existing terminological databases of the European Union's translation services into a single interinstitutional database containing approximately 1.4 million terms. The following databases were imported into IATE: Eurodicautom (European Commission), TIS (Council of the European Union), Euterpe (European Parliament), Euroterms (Translation Centre for the Bodies of the European Union), CDCTERM (European Court of Auditors).

Functionalist and Comparative Approaches in EU Legal Translation

The legal multilingualism of the European Union requires the translation of the entire *acquis communautaire* (the complete body of EU legislation) into each official language. Each language version has the status of an authentic original, which means that EU law is entirely mediated through translation. This reality gives rise to a hybrid "EU legal culture", resulting from the interdependence of language and law in which Community legal texts are filtered through multiple languages.

The translation of the EU legislation is not a simple linguistic exercise, but an integral part of the legislative process, aimed at ensuring identical legal effects in all Member States.

1. The Functionalist Approach – Functional Equivalence

A fundamental contribution to the theory of legal translation belongs to Susan Šarčević who in *New Approach to Legal Translation* (1997) argued in favour of *functional equivalen*ce rather than strictly literal translation. The legal scholar

and translation theorist maintains that the legal translator must identify a term or institution that performs the *same legal function* in the target language as that in the source language (1997, p. 20). The objective is for the audience within the target legal system to attribute to the translation the same legal effect that the original has within the source system.

This idea, adopted by other linguists as well, aligns with the general functionalist translation theory (Hans J. Vermeer, Christiane Nord), according to whom translation must be adequate to its purpose (skopos). In classical terms, it corresponds to Eugene Nida's dynamic equivalence (translation that reproduces "the same effect" on the receptor) (2003, p. 25) or to communicative translation as defined by Peter Newmark (1981, p. 39). The application of the functionalist approach is obvious in EU translation practice: rather than translating institutional terms *word for word* (e.g. *Council, Commission*), translators employ established functional equivalents in the target language (*Council [of the EU]*, *European Commission*), ensuring that the audience recognises both the institution and its legal role.

However, functional equivalence is not a universal strategy. In many cases, there are no target-language terms with an absolutely identical function; equivalence may only be partial. Some theorists warn that a rigid pursuit of functional equivalents may introduce legal inaccuracies if the target term carries different connotations. Susan Šarčević herself cautions against so-called "false equivalents": for instance, translating a *common law* concept using a familiar term from the target legal system that does not fully cover the original concept may mislead legal professionals (1997, pp. 236-238).

What is essential is that the functionalist approach has shifted the focus from formal (word-for-word) translation to dynamic, purpose-oriented translation of legal texts. This principle also underpins EU translation policy, which seeks semantic equivalence and legal effects across all languages, even when this requires significant lexical adaptation.

2. The Comparative Approach – Translation as a Dialogue between Legal Systems

Many scholars emphasise that legal translation requires in-depth knowledge of comparative law. The jurist-linguist Anna Jopek-Bosiacka argues that the translator must compare institutions and concepts from the source legal system with those of the target system in order to properly assess equivalence. The scholar shows that recourse to comparative law is often the only way to resolve translation problems involving system-specific legal terms (2013, p. 112).

In the EU context, the importance of the comparative approach is even greater: the multilingual policy and the principle of equal authenticity aim at "reconciling the 27 legal systems into a coherent body of law" and ensuring uniform interpretation. Some terms that are found in the legislative systems of one country do not exist in some other

countries' law; translation solutions have been identified through comparative analysis (e.g. *trust, consideration* rendered through explanatory or descriptive expressions), thus ensuring that the translation accurately conveys the foreign legal concept.

The comparative approach sometimes requires *neologisation* or *explanation*: when no corresponding domestic term exists, the translator may borrow the original term (possibly with the phonetic adaptation - e.g. *acquis* has remained *acquis* in English, Romanian, etc.), occasionally adding explanations. In other cases, a *hypernym* or a descriptive phrase is used in place of a non-existent equivalent. What is essential is that the translation decision is based on a rigorous evaluation of the constraints of the target legal system, avoiding the creation of confusion with the existing legal terms.

Translating Community Terms from English into Romanian

Our research based on a corpus of examples pertaining to European Union law highlights several commonly used strategies for translating the EU legal terminology.

1. Functional equivalence: the use of a target-language term that best covers the legal function of the source term (e.g. *directive - directivă*, *regulation - regulament*). This is the preferred strategy when a satisfactory counterpart exists, for example terms referring to the main types of EU legal acts in English and Romanian: *regulation - regulament, rules of procedure - regulament de procedură, notice - aviz, guidelines - linii directoare, final provisions - dispoziții finale, agreed minute - proces-verbal convenit, act of accession - act de aderare, implementing measures - dispoziții de aplicare, basic provisions - dispoziții de fond, digest of the case-law - repertoriul de jurisprudență, recitals - considerentele, assent procedure - procedura de aviz conform, joined cases - cauzele conexate, enacting terms - partea dispozitivă, subject matter - obiectul.*

The term *statement* is used for declarations recorded during a meeting, whereas the term *declaration* is used exclusively for declarations contained in treaties and agreements. In Romanian, the term *declarație* is used for both types of acts; the term *acțiunea în despăgubiri* is translated into English by two equivalents: *application for compensation* or *action for damages, acquis-ul comunitar* is synonymous with *dreptul comunitar* in the broad sense.

Legal vocabulary predominantly contains elements that are purely legal in nature (which may originally have belonged to other fields of activity). As a result of the expansion of legal relations, terms from various areas of human activity have been harmoniously integrated into the legal documents. Once contextualised within the legal discourse, economic, medical, architectural terms become fully-fledged elements of the legal vocabulary and can be readily found in any legal dictionary, where they are assigned definitions distinct from those given in the dictionaries of other specialised fields, for example the meaning of the term *pillar* in the Community law in contrast with its meanings in construction, mining, anatomy, or sport.

2. Borrowing

Borrowing involves taking over the original term either unchanged, for instance *acquis, Schengen, habeas corpus* or in an adapted form: *acquis-ul comunitar* in Romanian. Borrowing is used when the source term designates a new concept for which a unified term is desired at the European level. The drawback is that such terms may appear opaque to "non-specialist" readers.

With regard to the borrowings of Community law, the following types can be identified: **a. Greco-Latin stock**: *agenda, quorum, negotium, natura, Galileo, ERASMUS, instrumentum*, etc. This category also includes so-called "unnoticeable" borrowings originating from Latin or Greek that have evolved into modern forms: *charter, programme, strategy, criterion, eurobarometer, eurocracy, Europe, hierarchy, method, policy,* etc. The list of such borrowings largely overlaps with that of terms of Greco-Latin origin; **b. other modern languages**: *acquis, COREPER, rendez-vous clause*, *DG* (from French), *antitrust*, *Eurojust, FRONTEX*, *COREU* (from English), *ombudsman* (from Netherlandic).

In the terminology of Community law, *external borrowings* from the Greco-Latin stock and from the other modern languages are the most numerous. Nevertheless, borrowings from the other specialised languages are not far behind in terms of number, especially if one considers that Community law extensively uses terms from the international law, the constitutional law, the administrative law, and related fields.

3. Loan Translation

Loan translation involves the literal translation of the components of a source-language term or the creation of a new term using native elements. The EU has introduced numerous loan translations that have become standard usage, for example *piață internă* - *internal market*, *fond de coeziune* - *cohesion fund*. In terminological classification, the *loan translation* was first defined by Charles Bally as words and expressions formed mechanically after the model of expressions borrowed from a foreign language (*apud* Nida 2003, p. 49). The definition presents the very nature of loan translation, as it is based both on borrowing and on translation, and it necessarily presupposes interlinguistic contact.

3.1 Lexical loan translation aims at translating a single lexical unit. Since it is a structural loan translation, it presupposes an identity or quasi-identity of structure between model and copy (Šarčević 1997, p. 105) and applies to derivatives as well as compounds. Terms considered total or integral lexical loan translations include: *comunitarizare* (Fr. *communautarisation*, Eng. *communitisation*), with the preferred syntagm in all these languages being *principiul comunitarizării* (Fr. *principe de communautarisation*, Eng. *principle of communitisation*); *subsidiarity* - *principiul subsidiarității* (Fr. *principe de subsidiarité*, Eng. *principle of subsidiarity*).

3.2 Phraseological loan translation consists in the transfer of certain syntagms that replicate the structure of a word group forming a phraseological unit. More

precisely, a phraseological loan translation occurs through the literal translation of a foreign phraseological unit (a syntagm, a collocation, or an expression) (Stoichițoiu-Ichim 2006, p. 85), for instance *Community legal act - act juridic comunitar, consultation procedure - procedura de consultare, legal basis - bază juridică, legislative harmonisation - armonizare legislativă, white paper - carte albă, green paper - carte verde, priority of Community law - prioritatea dreptului comunitar, Commission Regulation - regulament al Comisiei Europene, Resolution of the European Council - rezoluție a Consiliului European.* Some examples of this type consist of structures representing European institutions: *European Council - Consiliul European*, *European Community - Comunitatea Europeană*, *European Commission - Comisia Europeană* that are abbreviated as EC/CE and their decoding becomes difficult and ambiguous.

The handbook *Ghid stilistic de traducere în limba română pentru uzul traducătorilor acquis-ului comunitar (Romanian Style Guide for the Use of Translators of the Acquis Communautaire)* plays a crucial normative and methodological role in ensuring the quality, consistency, and legal reliability of Romanian translations of the European Union legislation and offers explanations for the unknown terminology especially the calqued one.

Prezentarea politicilor comunitare este în primul rând făcută în ***cărțile verzi*** *11 și în* ***cărțile albe*** *12, fiind de aceea necesară consultarea sistematică și permanentă a acestora.*

There is an explanation as a footnote for the terms in bold: *11* ***Cărțile verzi*** *sunt comunicări oficiale ale Comisiei privind politicile în diferite domenii sau subdomenii. Ele se adresează părților interesate (grupuri de interese, agenți economici, instituții comunitare etc.) pentru a declanșa un dialog cu acestea privind problemele în cauză. 12* ***Cărțile albe*** *urmează, de regulă, dezbaterilor determinate de cărțile verzi și conțin propuneri de legiferare sau de acțiune în domeniile și subdomeniile respective, contribuind efectiv la dezvoltarea politicilor comunitare.*

Developed in the context of Romania's accession to the EU, the Guide functions as an essential instrument for aligning the Romanian legal language with the multilingual drafting and translation standards of the EU institutions.

4. Descriptive Translation

Descriptive translation involves explaining the meaning instead of using a single lexical unit when the concept would otherwise be unclear. For instance, the English term *trust* has been rendered through a legal description in certain contexts (since a single unit would not adequately cover the concept). This strategy ensures clarity but may be considered cumbersome; it is used mainly in glossaries, footnotes, or explanatory annexes, as extended definitions rarely appear in the main body of legislative texts.

English ST: ***Common law*** *differs significantly from civil law systems.*

Romanian Translation: ***Sistemul juridic de origine anglo-saxonă,*** *bazat în principal pe jurisprudență și precedent judiciar, diferă semnificativ de sistemele de drept continental.*

English ST: ***Equity*** *plays a corrective role in the common law system.*

Romanian Translation: ***Principiul juridic specific dreptului anglo-saxon,*** *distinct de dreptul strict, joacă un rol corectiv în cadrul sistemului de drept comun.*

English ST: *A contract is not valid without* ***consideration****.*

Romanian Translation: *Un contract nu este valabil, în dreptul anglo-saxon, în absența unui* ***element esențial constând într-o contraprestație sau un avantaj promis în schimbul asumării unei obligații.***

These examples illustrate the use of **descriptive translation** in EU legal discourse when rendering system-bound concepts originating in common law. In the absence of functional equivalents in Romanian civil law, the translator opts for explanatory formulations that ensure conceptual accuracy, legal certainty, and terminological transparency, in line with EU institutional drafting practices.

Conclusions

EU institutional translators tend to prioritise terminological consistency and neutrality, relying on centralised glossaries (such as the IATE database) and language-specific style guides, for example the handbook *Ghid stilistic de traducere în limba română pentru uzul traducătorilor acquis-ului comunitar (Romanian Style Guide for the Use of Translators of the Acquis Communautaire).* The translation of legal terms in Community law is a complex field that combines linguistic, legal, and cultural competences. In recent decades, academic contributions have outlined two major directions: a *functionalist approach,* concerned with achieving equivalence of legal effect and the comprehensibility of the translated text, and a *comparative approach,* which treats translation as a process of adaptation between different legal systems. The both directions have generated specific strategies ranging from the search for optimal functional equivalents that avoid false friends and misleading literal translations, preserve the normative force of legal texts, ensure clarity for legal practitioners and institutions in the target culture to the adoption of original terms, all aimed at preserving legal certainty and unity of meaning across all EU languages, which is essential in contracts, legislation, and judicial documents. EU institutional translations tend to avoid footnotes; explanations are introduced solely when required, otherwise the task of translation is left to the legal scholars and courts.

The evolution of Community legal language is explained primarily by extralinguistic factors. The creation of new bodies, as well as the drafting and implementation of new Community policies, principles, and strategies, inevitably leads to the emergence of new concepts and categories and, consequently, of Community neologisms. Borrowings from other languages and/or from other specialised languages form part of Community neonyms. Calque is also used in EU and international law and ensures

terminological consistency across multilingual legal systems, supporting conceptual transparency and facilitating comparability of legal texts.

From a neo-Wüsterian perspective, the body of Community legal texts constitutes the core component of the Community legal system, within which terms acquire their true specialised value. As the Community legal text (including its translated versions) is addressed to the entire Union, it must produce the same legal effects in all Member States.

In translating Community legal texts, it is imperative to take into account the content, form, and quality. The effective integration of these three dimensions is possible only if the translator is well acquainted with Community law and the European Union functioning system. Accurate transfer of the message into the target language is not possible as long as the translator does not know *what* must be said, even if they know well *how* to say it.

The inability to translate stems from obscurity, from lack of knowledge. A translator who wishes to specialise in this field must begin with mastering the domain itself, rather than translating texts through approximate equivalences that ultimately promote pseudo-translation.

Bibliographical references:

Ghid stilistic de traducere în limba română pentru uzul traducătorilor acquis-ului comunitar. Laura Ana-Maria Vrabie (coord.). București: Institutul European din România, 2008. ISBN 978-973-7736-72-7.

Inter-Active Terminology for Europe (IATE). Available: https://iate.europa.eu [accessed 2026-09-01].

JOPEK-BOSIACKA, Anna. Comparative law and equivalence of system-bound terms in EU legal translation. *Linguistica Antverpiensia*. 2013, no. 12, pp. 110-130. ISSN 2295-5739.

NEWMARK, Peter. *Approaches to Translation.* New York: Prentice Hall International Ltd, 1981. ISBN 0080246036.

NIDA, Eugene. *Toward a Science of Translating.* Leiden: Brill Academic Publishers, Reprint, Leiden: E. J. Brill, 2003. ISBN-10: 9004132818.

NORD, Christiane. *Translating as a Purposeful Activity: Functionalist Approaches Explained*. Manchester: St. Jerome, 1997. ISBN 13: 978-1900650037.

ŠARČEVIĆ, Susan. *New Approach to Legal Translation.* The Hague: Kluwer Law International, 1997. ISBN 9041104011.

STOICHIȚOIU-ICHIM, Adriana. *Aspecte ale influenței engleze în româna actuală.* București: Editura Universității, 2006. ISBN 973-737-172-0.

VERMEER, Hans. *A Skopos Theory of Translation: Some Arguments for and Against*. Heidelberg: TEXTconTEXT, 1996. ISBN 10: 3927952025.

Primit: 28.01.2026
Acceptat: 20.05.2026