

翻譯工作者憲章

本憲章於 1963 年 9 月在杜布羅夫尼克(南斯拉夫) 召開的國際翻譯工作者聯合會(國際譯聯) 第四次代表大會上通過。當時參加國際譯聯的有 23 個國家的翻譯工作者團體。

國際翻譯工作者聯合會認為, 翻譯工作在當代世界被看作是一種經常、普遍和必不可少的活動形式; 翻譯工作能夠使各國人民進行精神與物質上的交流, 豐富各國人民的生活, 促進人們之間的瞭解; 儘管從事翻譯工作的環境各有不同, 但當前必須把翻譯工作看作是一種固定、獨立的職業。

希望以正式檔的形式, 闡明與翻譯工作者的職業密切相關的幾項共同原則, 以便

著重指出翻譯工作的社會職能, 明確翻譯工作者的權利和義務, 奠定翻譯工作者道德規範的基礎, 改善翻譯工作者從事翻譯工作的經濟條件與社會環境, 為翻譯工作者及其職業團體提供某些活動方針, 藉以肯定翻譯工作是一種固定、獨立的職業。

有鑒於此, 國際翻譯工作者聯合會特公佈本憲章, 作為翻譯工作者從事翻譯活動的指標。

THE TRANSLATOR'S CHARTER

(Approved by the Congress at Dubrovnik in 1963, and amended in Oslo on July 9, 1994)

The International Federation of Translators

noting

that translation has established itself as a permanent, universal and necessary activity in the world of today; that by making intellectual and material exchanges possible among nations it enriches their life and contributes to a better understanding amongst men;

that in spite of the various circumstances under which it is practiced translation must now be recognized as a distinct and autonomous profession; and

desiring

to lay down, as a formal document, certain general principles inseparably connected with the profession of translating, particularly for the purpose of

- stressing the social function of translation,
- laying down the rights and duties of translators,
- laying the basis of a translator's code of ethics,
- improving the economic conditions and social climate in which the translator carries out his activity, and
- recommending certain lines of conduct for translators and their professional organizations, and to contribute in this way to the recognition of translation as a distinct and autonomous profession,

announces the text of a charter proposed to serve as guiding principles for the exercise of the profession of translator.

第一章 翻譯工作者的義務

- 1 翻譯工作作為一種腦力勞動其目的是將文學 科學方面的材料從一種語言譯成另一種語言,從事這一工作的人承擔著由該工作性質產生的特殊義務。
- 2 不管翻譯工作者與使用譯文的個人和機關建立的是什麼關係或合同,譯文概由翻譯工作者負責。
- 3 凡是翻譯工作者不同意的或與翻譯工作者業務職責相抵觸的對原文的解釋,翻譯工作者應該加以拒絕。
- 4 任何譯文都應忠實于原意,準確表達原文的思想和形式,遵守這種忠實的原則是翻譯工作者法律上與道德上的義務。
- 5 然而,正確的譯文不應同逐字翻譯混為一談,因為翻譯的忠實並不排除文字上的必要改變,以便使人能夠用另一種語言在另一個國家體會到原作的形式、氣氛及其內在含意。
- 6 翻譯工作者應通曉原文,更重要的是要精通用來進行翻譯的語言。
- 7 翻譯工作者應該知識廣博,對所譯物件應有足夠瞭解,對不熟悉的工作不予承擔。
- 8 翻譯工作者在職業活動中應該不作任何不誠實的競爭;翻譯工作者不能接受低於法律專門決議 習慣或者他所在的職業團體明文規定的報酬。
- 9 翻譯工作者不應該在有損於個人或職業尊嚴的條件下去尋找或接受工作。
- 10、 翻譯工作者應該尊重使用譯文的個人和機關的合法利益,應將所有在從事委託給他的翻譯工作時可能得到的資料視為職業秘密。
- 11、 翻譯工作者作為"再創造"的作者,對原作者負有特殊義務。
- 12、 翻譯工作者未經原作者或原著所有者的允許,不得翻譯該項著作,同時也應該尊重作者其他各項權利。

SECTION I GENERAL OBLIGATIONS OF THE TRANSLATOR

1. Translation, being an intellectual activity, the object of which is the transfer of literary, scientific and technical texts from one language into another, imposes on those who practice it specific obligations inherent in its very nature.
2. A translation shall always be made on the sole responsibility of the translator, whatever the character of the relationship of contract which binds him/her to the user.
3. The translator shall refuse to give to a text an interpretation of which he/she does not approve, or which would be contrary to the obligations of his/her profession.
4. Every translation shall be faithful and render exactly the idea and form of the original. this fidelity constituting both a moral and legal obligation for the translator.
5. A faithful translation, however, should not be confused with a literal translation, the fidelity of a translation not excluding an adaptation to make the form, the atmosphere and deeper meaning of the work felt in another language and country.
6. The translator shall possess a sound knowledge of the language from which he/she translates and should, in particular, be a master of that into which he/she translates.
7. He/she must likewise have a broad general knowledge and know sufficiently well the subject matter of the translation and refrain from undertaking a translation in a field beyond his competence.
8. The translator shall refrain from any unfair competition in carrying out his profession; in particular, he/she shall strive for equitable remuneration and not accept any fee below that which may be fixed by law and regulations.
9. In general, he/she shall neither seek nor accept work under conditions humiliating to himself/herself or his/her profession.
10. The translator shall respect the legitimate interests of the user by treating as a professional secret any information which may come into his/her possession as a result of the translation entrusted to him/her.
11. Being a "secondary" author, the translator is required to accept special obligations with respect to the author of the original work.
12. He/she must obtain from the author of the original work or from the user authorization to translate a work, and must furthermore respect all other rights vested in the author.

第二章 翻譯工作者的權利

- 13 每個翻譯工作者對其譯著享有所在國給予其他腦力勞動者所享有的一切權利。
- 14 譯著是腦力勞動成果，受有關規定的法律保護。
- 15 翻譯工作者對其譯著享有著作權，從而享有與原著作者同樣的優惠權益。
- 16 翻譯工作者對其譯著享有與作者同樣的一切道義上的權利與遺產轉讓的權利。
- 17 翻譯工作者生前享有確認本人為其譯著作者的權利，其中包括：
 - 甲) 公開利用譯者的譯文時應該明確、清楚地提到譯者的姓名；
 - 乙) 譯者有權反對任何歪曲、刪減或改動其譯文的行為；
 - 丙) 出版者或其他利用譯文的人，事先未經譯者同意，不得對譯文進行任何改動；
 - 丁) 譯者有權禁止非法利用其譯文的一切行為，有權反對損害譯者榮譽或聲望的任何活動。
- 18 翻譯工作者在允許別人發表、演出、廣播、翻譯、改寫、修改其譯文及其他以任何形式利用其譯文方面，享有特殊的決定權。
- 19 翻譯工作者對公開使用其譯文有權獲得法律或合同規定的報酬。

SECTION II RIGHTS OF THE TRANSLATOR

13. Every translator shall enjoy all the rights with respect to the translation he/she has made, which the country where he/she exercises his/her activities grants to other intellectual workers.
14. A translation, being a creation of the intellect, shall enjoy the legal protection accorded to such works.
15. The translator is therefore the holder of copyright in his/her translation and consequently has the same privileges as the author of the original work.
16. The translator shall thus enjoy, with respect to his/her translation, all the moral rights of succession conferred by his/her authorship.
17. He/she shall consequently enjoy during his/her lifetime the right to recognition of his/her authorship of the translation, from which it follows, inter alia, that
 - (a) his/her name shall be mentioned clearly and unambiguously whenever his/her translation is used publicly;
 - (b) he/she shall be entitled to oppose any distortion, mutilation or other modification of his/her translation;
 - (c) publishers and other users of his/her translation shall not make changes therein without the translator's prior consent;
 - (d) he/she shall be entitled to prohibit any improper use of his/her translation and, in general, to resist any attack upon it that is prejudicial to his/her honor or reputation.
18. Furthermore, the exclusive right to authorize the publication, presentation, broadcasting, re-translation, adaptation, modification or other rendering of his/her translation, and, in general, the right to use his/her translation in any form shall remain with the translator.
19. For every public use of his/her translation the translator shall be entitled to remuneration at a rate fixed by contract or law.

第三章 翻譯工作者的經濟地位和社會地位

20 翻譯工作者有權獲得能使他切實完成其所負社會任務的生活條件。

21 翻譯工作者有權從其譯著的成果中獲得利益，有權從其譯著的商務利潤中按比例獲得報酬。

22 翻譯工作者也可以一次預訂的方式進行；在這種情況下，不論其譯著所得商業利潤如何，譯者都有權獲得報酬。

23、翻譯工作這項職業，同其他自由職業一樣，在各國都受到監督工資、集體合同、標準合同等措施的保護。

24 各國翻譯工作者都享有腦力勞動者享有的各種優惠待遇，其中包括老年退休金、醫療、失業、多子女的補助金等各種形式的社會保障。

SECTION III ECONOMIC AND SOCIAL POSITION OF THE TRANSLATOR

20. The translator must be assured of living conditions enabling him/her to carry out with efficiency and dignity the social task conferred on him/her.

21. The translator shall have a share in the success of his/her work and shall, in particular, be entitled to remuneration proportional to the commercial proceeds from the work he/she has translated.

22. It must be recognized that translation can also arise in the form of commissioned work and acquire as such rights to remuneration independent of commercial profits accruing from the work translated.

23. The translating profession, like other professions, shall enjoy in every country a protection equal to that afforded to other professions in that country, by collective agreements, standard contracts, etc.

24. Translators in every country shall enjoy the advantages granted to intellectual workers, and particularly of all social insurance schemes, such as old-age pensions, health insurance, unemployment benefits and family allowances.

第四章 翻譯工作者協會或聯合會

25. 翻譯工作者同其他自由職業者一樣，有權組織職業協會或聯合會。
26. 這些組織的任務，除了保護翻譯工作者的物質和精神利益外，還應包括提高翻譯品質和研究與翻譯有關的一切其他問題。
27. 為了草擬與翻譯工作者有關的法律措施和規則，翻譯工作者協會或聯合會可與政府機關進行接觸。
28. 翻譯工作者協會或聯合會應盡可能與利用譯文的團體（出版者協會、工商企業、國家與私人機關、報刊等）保持經常聯繫，以便研究和解決一些共同的課題。
29. 翻譯工作者協會或聯合會為了監督所在國的一切譯著的品質，可與所在國的文化組織、作家聯合會、國際筆會本國分會、文學評論界、科學協會、大學、科技研究所等保持聯繫。
30. 翻譯工作者協會或聯合會在翻譯工作者與譯文使用者之間發生的各種爭執中起仲裁人或鑑定人的作用。
31. 翻譯工作者協會或聯合會可在訓練和補充翻譯幹部問題上發表意見，也可與專家機構和大學合作來實現這些任務。
32. 翻譯工作者協會或聯合會應從各個方面收集翻譯工作者感興趣的情報資料，並以圖書、合訂本、概述、通報的形式提供給翻譯工作者使用，為此，應組織理論和實踐方面的情報服務工作，舉辦講習班，召開會議。

SECTION IV TRANSLATORS' SOCIETIES AND UNIONS

25. In common with members of other professions, translators shall enjoy the right to form professional societies or unions.
26. In addition to defending the moral and material interests of translators, these organizations shall have the task of ensuring improvement in standards of translation and of dealing with all other matters concerning translation.
27. They shall exert their influence on public authorities in the preparation and introduction of legal measures and regulations concerning the profession.
28. They shall strive to maintain permanent relations with organizations which are users of translations (publishers' associations, industrial and commercial enterprises, public and private authorities, the Press, etc.) for the purpose of studying and finding solutions to their common problems.
29. In watching over the quality of all works translated in their countries, they shall keep in touch with cultural organizations, societies of authors, national sections of the Pen Club, literary critics, learned societies, universities, and technical and scientific research institutes.
30. They shall be competent to act as arbiters and experts in all disputes arising between translators and users of translations.
31. They shall have the right to give advice on the training and recruitment of translators, and to co-operate with specialized organizations and universities in the pursuit of these aims.
32. They shall endeavor to collect information of interest to the profession from all sources and to place it at the disposal of translators in the form of libraries, files, journals and bulletins, for which purpose they shall establish theoretical and practical information services, and organize seminars and meetings.

第五章 全國性翻譯工作者組織和國際翻譯工作者聯合會

33 在一些同時存在著幾個按地區特點或按一定範圍建立起來的翻譯工作者組織的國家，最好能在保持各自獨立性的情況下，由這些組織建立一個全國性的中央組織，以聯合各組織的力量。

34 在還未建立翻譯工作者協會或聯合會的國家，則建議這些國家的翻譯工作者將自己的力量聯合起來，以便在符合所在國法律的條件下建立這種必要的組織。

35 為了在世界範圍內達到共同的目的，建議各國翻譯工作者組織加入國際翻譯工作者聯合會。

36 翻譯工作者參加本國的翻譯團體，以及這些團體加入國際翻譯工作者聯合會，都出於自願。

37 國際翻譯工作者聯合會維護翻譯工作者在國際範圍內的物質權利與道義權利，關心翻譯理論及實踐的發展，大力促進全世界的文化傳播。

38 國際翻譯者聯合會在完成這些任務時，代表著全世界的翻譯工作者，同政府的、非政府的或政府之間的機關進行接觸，參加與世界翻譯工作者和翻譯工作的利益有關的會議，出版著作，召開或贊助召開有關翻譯工作問題的會議。

39 國際翻譯工作者聯合會是在國際範圍內繼續進行各國翻譯工作者團體的工作，協助它們的力量，確定它們共同的行為方針。

40 加入翻譯工作者聯合會的各國翻譯工作者協會及其中央組織，為了履行其職責，要從聯合翻譯工作者的團結情誼中，要從促進各國人民相互瞭解和世界文化傳播的高品質翻譯工作中，不斷吸取必要的力量。

SECTION V NATIONAL ORGANIZATIONS AND THE INTERNATIONAL FEDERATION OF TRANSLATORS

33. Where several groups of translators exist in a country, organized either on a regional basis or into different categories, it will be desirable for these groups to co-ordinate their activities in a central national organization, at the same time preserving their identity.

34. In countries where societies or unions of translators are not yet in existence, it is suggested that translators should join forces to bring about the necessary establishment of such an organization, in accordance with the relevant legal requirements of their country.

35. To ensure the attainment of their aims at world level by common effort, national translators' organizations are called upon to unite in the Fédération internationale des traducteurs (International Federation of Translators [FIT]).

36. Translators shall join their national organizations of their own free will and the same must apply to the societies with respect to their association with the International Federation of Translators.

37. The International Federation of Translators shall defend the material and moral rights of translators at the international level, keep in touch with progress in theoretical and practical matters relating to translation, and endeavor to contribute to the spread of civilization throughout the world.

38. The International Federation of Translators shall attain these objectives by representing translators at the international level, particularly through relations with governmental, non-governmental and supranational organizations, by taking part in meetings likely to be of interest to translators and translation at the international level, by publishing works, and by organizing or arranging for the organization of congresses at which questions concerning translation or translators may be examined.

39. In general the International Federation of Translators shall extend the activities of the societies of every country at the international level, co-ordinate their efforts and define its common policy.

40. The national societies and the International Federation of Translators, their central organization, derive the strength necessary for the pursuit of their professional objectives from the feeling of solidarity existing among translators and from the dignity of translation which contributes to better understanding among nations and to the spread of culture throughout the world.