

翻译工作者宪章

本宪章于 1963 年 9 月在杜布罗夫尼克(南斯拉夫) 召开的国际翻译工作者联合会(国际译联) 第四次代表大会上通过。当时参加国际译联的有 23 个国家的翻译工作者团体。

国际翻译工作者联合会认为 , 翻译工作在当代世界被看作是一种经常、普遍和必不可少的活动形式 , 翻译工作能够使各国人民进行精神与物质上的交流 , 丰富各国人民的生活 , 促进人们之间的了解 ; 尽管从事翻译工作的环境各有不同 , 但当前必须把翻译工作看作是一种固定、独立的职业。

希望以正式文件的形式 , 阐明与翻译工作者的职业密切相关的几项共同原则 , 以便

着重指出翻译工作的社会职能 ,
明确翻译工作者的权利和义务 ,
奠定翻译工作者道德规范的基础 ,
改善翻译工作者从事翻译工作的经济条件与社会环境 ,
为翻译工作者及其职业团体提供某些活动方针 ,
借以肯定翻译工作是一种固定、独立的职业。

有鉴于此 , 国际翻译工作者联合会特公布本宪章 , 作为翻译工作者从事翻译活动的指针。

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 翻译工作者的义务

- 1、翻译工作作为一种脑力劳动其目的是将文学、科学方面的材料从一种语言译成另一种语言,从事这一工作的人承担着由该工作性质产生的特殊义务。
- 2、不管翻译工作者与使用译文的个人和机关建立的是什么关系或合同,译文概由翻译工作者负责。
- 3、凡是翻译工作者不同意的或与翻译工作者业务职责相抵触的对原文的解释,翻译工作者应该加以拒绝。
- 4、任何译文都应忠实于原意,准确表达原文的思想和形式,遵守这种忠实的原则是翻译工作者法律上与道德上的义务。
- 5、然而,正确的译文不应同逐字翻译混为一谈,因为翻译的忠实并不排除文字上的必要改变,以便使人能够用另一种语言在另一个国家体会到原作的形式、气氛及其内在含意。
- 6、翻译工作者应通晓原文,更重要的是要精通用来进行翻译的语言。
- 7、翻译工作者应该知识广博,对所译对象应有足够了解,对不熟悉的工作不予承担。
- 8、翻译工作者在职业活动中应该不作任何不诚实的竞争,翻译工作者不能接受低于法律专门决议、习惯或者他所在的职业团体明文规定的报酬。
- 9、翻译工作者不应该在有损于个人或职业尊严的条件下去寻找或接受工作。
- 10、翻译工作者应该尊重使用译文的个人和机关的合法利益,应将所有在从事委托给他的翻译工作时可能得到的资料视为职业秘密。
- 11、翻译工作者作为"再创造"的作者,对原作者负有特殊义务。
- 12、翻译工作者未经原著作者或原著所有者的允许,不得翻译该项著作,同时也应该尊重作者其他各项权利。

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 翻译工作者的权利

13、每个翻译工作者对其译著享有所在国给予其他脑力劳动者所享有的一切权利。

14、译著是脑力劳动成果，受有关规定的法律保护。

15、翻译工作者对其译著享有著作权，从而享有与原著作者同样的优惠权益。

16、翻译工作者对其译著享有与作者同样的一切道义上的权利与遗产转让的权利。

17、翻译工作者生前享有确认本人为其译著作者的权利，其中包括：

甲) 公开利用译者的译文时应该明确、清楚地提到译者的姓名；

乙) 译者有权反对任何歪曲、删减或改动其译文的行为；

丙) 出版者或其他利用译文的人，事先未经译者同意，不得对译文进行任何改动；

丁) 译者有权禁止非法利用其译文的一切行为，有权反对损害译者荣誉或声望的任何活动。

18、翻译工作者在允许别人发表、演出、广播、翻译、改写、修改其译文及其他以任何形式利用其译文方面，享有特殊的决定权。

19、翻译工作者对公开使用其译文有权获得法律或合同规定的报酬。

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 翻译工作者的经济地位和社会地位

- 20、翻译工作者有权获得能使他切实完成其所负社会任务的生活条件。
- 21、翻译工作者有权从其译著的成果中获得利益，有权从其译著的商务利润中按比例获得报酬。
- 22、翻译工作者也可以一次预订的方式进行；在这种情况下，不论其译著所得商业利润如何，译者都有权获得报酬。
- 23、翻译工作这项职业，同其他自由职业一样，在各国都受到监督工资、集体合同、标准合同等措施的保护。
- 24、各国翻译工作者都享有脑力劳动者享有的各种优惠待遇，其中包括老年退休金、医疗、失业、多子女的补助金等各种形式的社会保障。

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 翻译工作者协会或联合会

- 25、翻译工作者同其他自由职业者一样，有权组织职业协会或联合会。
- 26、这些组织的任务，除了保护翻译工作者的物质和精神利益外，还应包括提高翻译质量和研究与翻译有关的一切其他问题。
- 27、为了草拟与翻译工作者有关的法律措施和规则，翻译工作者协会或联合会可与政府机关进行接触。
- 28、翻译工作者协会或联合会应尽可能与利用译文的团体（出版者协会、工商企业、国家与私人机关、报刊等）保持经常联系，以便研究和解决一些共同的课题。
- 29、翻译工作者协会或联合会为了监督所在国的一切译著的质量，可与所在国的文化组织、作家联合会、国际笔会本国分会、文学评论界、科学协会、大学、科技研究所等保持联系。
- 30、翻译工作者协会或联合会在翻译工作者与译文使用者之间发生的各种争执中起仲裁人或鉴定人的作用。
- 31、翻译工作者协会或联合会可在训练和补充翻译干部问题上发表意见，也可与专家机构和大学合作来实现这些任务。
- 32、翻译工作者协会或联合会应从各个方面收集翻译工作者感兴趣的情报资料，并以图书、合订本、概述、通报的形式提供给翻译工作者使用，为此，应组织理论和实践方面的情报服务工作，举办讲习班，召开会议。

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 全国性翻译工作者组织和国际翻译工作者联合会

33、在一些同时存在着几个按地区特点或按一定范围建立起来的翻译工作者组织的国家,最好能在保持各自独立性的情况下,由这些组织建立一个全国性的中央组织,以联合各组织的力量。

34、在还未建立翻译工作者协会或联合会的国家,则建议这些国家的翻译工作者将自己的力量联合起来,以便在符合所在国法律的前提下建立这种必要的组织。

35、为了在世界范围内达到共同的目的,建议各国翻译工作者组织加入国际翻译工作者联合会。

36、翻译工作者参加本国的翻译团体,以及这些团体加入国际翻译工作者联合会,都出于自愿。

37、国际翻译工作者联合会维护翻译工作者在国际范围内的物质权利与道义权利,关心翻译理论及实践的发展,大力促进全世界的文化传播。

38、国际翻译者联合会完成这些任务时,代表着全世界的翻译工作者,同政府的、非政府的或政府之间的机关进行接触,参加与世界翻译工作者和翻译工作的利益有关的会议,出版著作,召开或赞助召开有关翻译工作问题的会议。

39、国际翻译工作者联合会是在国际范围内继续进行各国翻译工作者团体的工作,协助它们的力量,确定它们共同的行为方针。

40、加入翻译工作者联合会的各国翻译工作者协会及其中央组织,为了履行其职责,要从联合翻译工作者的团结情谊中,要从促进各国人民相互了解和世界文化传播的高质量翻译工作中,不断吸取必要的力量。

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.