

Information session on the proposed translation corrections in the text of the IHR (2005) not covered by resolution WHA77.17(2024)

28 October 2024

Agenda

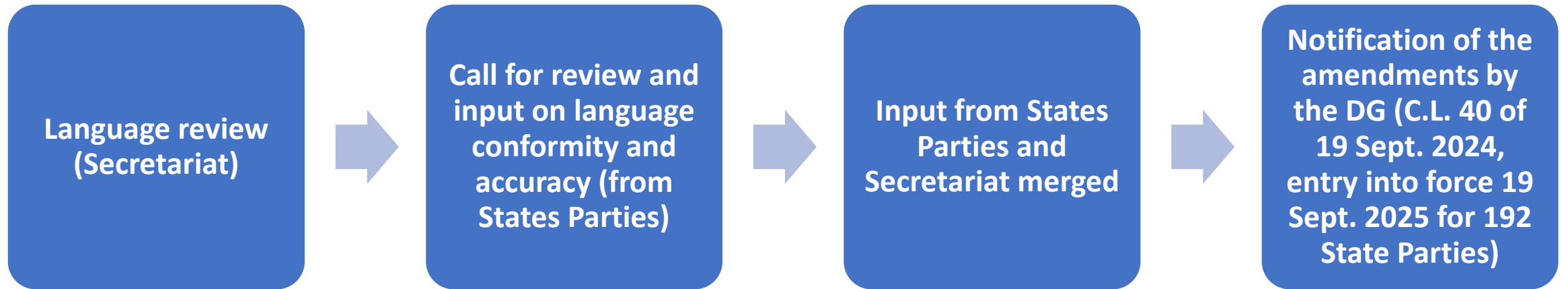
1. Welcome and introduction – Dr Gaudenz Silberschmidt, Director a.i. Governing Bodies
2. Description of issues with examples in all languages – Mr Pascal Brice, Unit Head, a.i., Language Services with relevant LNG staff members
3. Procedural considerations, Office of the Legal Counsel
4. Proposed Process at EB156 and WHA78 – Dr Gaudenz Silberschmidt, Director a.i. Governing Bodies
5. Questions and answers – WHO Member States and the Secretariat
6. Any other business

Resolution WHA77.17(2024)

3. REQUESTS the Director-General:

(1) to give prompt notification of the amendments to the International Health Regulations (2005) adopted through this resolution, in accordance with paragraph 1 of Article 65 of the International Health Regulations (2005), on the understanding that, prior to such notification, the Director-General shall ensure the uniformity of the Arabic, Chinese, English, French, Russian and Spanish texts of the amendments, allowing for State Party review and input on language conformity and accuracy;

Work undertaken after WHA77 pursuant to resolution WHA77.17



Issues that emerged from the review process

- Review was only mandated on the text amended in 2024
- Some States Parties reported, and the Secretariat noted, translation errors/inaccuracies in other parts of the text
- Translation issues in the amended text have raised possible inconsistencies with existing text as translators address terminology
- Scope of terminology issues varies depending on the language

Examples of mistranslations – Arabic

Inaccuracies

Public health emergency of international concern is inaccurately rendered in Arabic as "طائرة صحية" (literally: public health emergency raising international concern): to align with other official languages' focus on the scope of the emergency rather than its worrisome nature, besides aligning with the widely used equivalent in leading Arabic media outlets, we suggest طائرة صحية عامة ذات نطاق دولي

Inconsistencies

- «Public health», is inconsistently translated as "صحة عمومية" and "صحة عامة": To ensure consistency throughout the IHR and with WHO documentation in general, both in HQ and EMRO, where public health should be translated as: الصحة العامة
- « Shall » is inconsistently translated as /على/ /يتعين/ /يجب/ and imperfect tense : The imperfect tense should be used throughout the text.

N.B. Based on suggestions from the State of Qatar, additional changes in formulation may also be introduced to the Arabic text.

Examples of mistranslations – Chinese

Inaccuracies

English: “affected” means persons, baggage, cargo, containers, conveyances, goods, postal parcels or human remains [...]
(Article 1)

Chinese: “受染”是指.....人员、行李、货物、集装箱、交通工具、物品、邮包或尸体(骸骨)人体尸骸。

Comment: The original Chinese translation is not precise and refers to both animal remains and human remains,

English: “invasive” means the puncture or incision of the skin or insertion of an instrument or foreign material into the body or the examination of a body cavity. (Article 1)

Chinese: “创伤性侵入性”是指皮肤被刺伤或切开，或者器具或异物插入身体或检查体腔。

Comment: Suggested modification more accurate. Covers the insertion of an instrument or the examination of a body cavity.

Inconsistencies

English: DEFINITIONS, PURPOSE AND SCOPE, PRINCIPLES AND RESPONSIBLE AUTHORITIES (PART I)

Chinese: 定义、目的和范围、原则及负责当局部门

Comment: For consistency with MS suggested modifications elsewhere. More idiomatic and more widely used in Mainland China.

Examples of mistranslations – Chinese (continued)

Inconsistencies

English: ... an assessment of the risk to human health, of the risk of international spread of disease and of the risk of interference with international traffic. (Article 12.4(e))

Chinese: 对人类健康风险、疾病国际传播危险性风险和对国际交通干扰危险性风险的评估。

Comment: For consistency with MS suggested modifications elsewhere. The suggested wording is more nuanced and differentiates between “risk” and “danger”.

Mistranslations

English: ... decide in each case the technique employed to secure an adequate level of control of the public health risk as provided in these Regulations. (Article 27.1(b))

Chinese: 在每个病例案例中决定所采取的技术， 以保证根据本条例的规定充分控制公共卫生风险。

Comment: mistranslated as a medical case

English: Viral haemorrhagic fevers (Ebola, Lassa, Marburg) (Annex 2)

Chinese: 病毒性出血热 （埃博拉热、~~拉萨热~~拉沙热、马尔堡热 ）

Comment: mistranslated as Lhasa fever

Examples of mistranslations – French

- Inconsistent translation of "shall": present tense (right), future tense and "doit/doivent" (wrong).
- Mistranslation of "should": not always rendered by the conditional.
- Missing text or words: événements "de santé publique" missing in Art.7, "civils" missing in title of Art.26, "ethniques" missing in Art.32 b), etc.
- Text that is not in the English version: "sur demande" in Ann.1 par. 3.
- Grammatical errors: Art.8, Art.40 b), Art.43 3.
- Distorsions of meaning: mistranslation of "reports" in Art.9 and 10.
- Awkward translation of "core capacities", a major term and notion in IHR.
- Misalignments between articles with the same wording in English.

Examples of mistranslations – Russian

English	Existing Russian Translation	Back Translation to Demonstrate Error	Suggested translation
“international voyage”	«международная поездка»	"international travel "	«Международный рейс»
“aircraft” means an aircraft making an international voyage;	«самолет» означает воздушное транспортное средство, совершающее международный рейс (by the way inconsistent with the existing “international voyage” definition which now reads “международная поездка”- “international travel ” -see above)	" airplane " means an air vehicle engaged in an international flight	«воздушное судно» означает летательный аппарат, совершающий международный рейс
“ground crossing” means a point of land entry in a State Party, including one utilized by road vehicles and trains;	«наземный транспортный узел» означает пункт въезда по суше в государство-участник, в том числе пункт, используемый дорожными транспортными средствами и поездами	" Land transportation hub " means a point of entry by land into a State party, including a point used by road vehicles and trains	«наземный пункт пропуска» – пункт сухопутного въезда в государство-участник, в том числе используемый дорожно-транспортными средствами и поездами;
“conveyance” means an aircraft, ship, train, road vehicle or other means of transport on an international voyage	«перевозочное средство» означает самолет, судно, поезд, дорожное транспортное средство или другие транспортные средства, осуществляющие международную поездку	“ carrying means ” means an airplane , ship, train, road vehicle or other means of transport engaged in international travel	«транспортное средство» – воздушное судно, судно, поезд, дорожно-транспортное средство или другое транспортное средство, совершающее международный рейс;
Throughout the text: “Upon request”	По просьбе, при наличии просьбы	Wrong informal style: «asking/ask/demand/wish»	Should be formally rendered as «по запросу»

Examples of mistranslations – Russian (continued)

Art. 7. If a State Party has evidence of an unexpected or unusual public health event **within its territory**, irrespective of origin or source, which may constitute a public health emergency of international concern, it shall provide

“Within its territory” is missing in the actual text

Если у государства-участника есть фактические данные о неожиданном или необычном событии в области общественного здравоохранения **на его территории**, независимо от происхождения или источника, которое может создать чрезвычайную ситуацию в области общественного здравоохранения, имеющую международное значение, оно предоставляет ВОЗ всю соответствующую медико-санитарную информацию.

Art. 13, para 6
When **requested**, WHO shall provide appropriate **guidance** and assistance to other States Parties affected or threatened by the public health emergency of international concern

При наличии **просьбы**, ВОЗ обеспечивает **соответствующие руководство** и помощь другим государствам-участникам, подвергающимся воздействию или угрозе чрезвычайной ситуации в области общественного здравоохранения, имеющей международное значение

If **asked**, WHO shall provide **relevant leadership** and assistance to other States Parties affected or threatened by a public health emergency of international concern

ВОЗ предоставляет **по запросу необходимые рекомендации** и помощь другим государствам-участникам, подвергающимся воздействию или угрозе чрезвычайной ситуации в области общественного здравоохранения, имеющей международное значение,

Article 25 Ships and aircraft in transit
Subject to Articles 27 and 43 **or unless authorized** by applicable international agreements, no health measure shall be applied by a State Party to:

Статья 25 Транзитные суда и самолеты
При условии соблюдения Статей 27 и 43 **или если это допускается** применимыми международными соглашениями, никакие медико-санитарные меры не применяются государством-участником к:

Article 25 Ships and aircraft in transit
Subject to Articles 27 and 43 **or as authorized** by applicable international agreements, no health measure shall be applied by a State Party to:

Статья 25. Транзитные суда и самолеты
При условии соблюдения статей 27 и 43 **и за исключением случаев, когда это допускается** применимыми международными соглашениями, государство-участник не принимает медико-санитарных мер в отношении:

Examples of mistranslations – Russian (continued)

Article 26 Civilian lorries, trains and coaches in transit

Subject to Articles 27 and 43 **or unless authorized** by applicable international agreements, no health measure shall be applied to a civilian lorry, train or coach not coming from an affected area which passes through a territory without embarking, disembarking, loading or discharging.

Article 28 Ships and aircraft at points of entry

4. Officers in command of ships or pilots in command of aircraft, or their agents, shall make known to the port or airport control, as early as possible before arrival at the port or airport of destination, any cases of illness indicative of a disease of an infectious nature or **evidence of a public health risk on board**, as soon as such illnesses or **public health risks** are made known to the officer or pilot.

Статья 26 Гражданские транзитные грузовые автомобили, поезда и автобусы
При условии соблюдения Статей 27 и 43 **или если это допускается** применимыми международными соглашениями, никакие медико-санитарные меры не применяются к гражданскому грузовому автомобилю, поезду или автобусу, прибывающему не из зараженного района, который пересекает территорию без посадки и высадки пассажиров или погрузки или выгрузки грузов.

Статья 28 Суда и самолеты в пункте въезда
4. Капитаны судов или командиры самолетов или их представители как можно раньше до прибытия в порт или аэропорт назначения сообщают органам контроля порта или аэропорта о наличии любых случаев заболевания, указывающих на болезнь инфекционного характера, или о **фактах, свидетельствующих о риске для здоровья людей на борту**, как только такое заболевание или **риск для здоровья людей** становятся известными капитану судна или командиру самолета.

Article 26 Civilian lorries, trains and coaches in transit

Subject to Articles 27 and 43 **or as authorized** by applicable international agreements, no health measure shall be applied to a civilian lorry, train or coach not coming from an affected area which passes through a territory without embarking, disembarking, loading or discharging

Article 28 Ships and aircraft at points of entry

4. Officers in command of ships or pilots in command of aircraft, or their agents, shall make known to the port or airport control, as early as possible before arrival at the port or airport of destination, any cases of illness indicative of a disease of an infectious nature or **facts indicating a risk for the persons on board**, as soon as such illnesses or **risk for the persons' health** are made known to the officer or pilot.

Статья 26. Гражданские транзитные грузовые автомобили, поезда и автобусы

При условии соблюдения статей 27 и 43 **и за исключением случаев, когда это допускается** применимыми международными соглашениями, медико-санитарные меры не применяются к гражданскому грузовому автомобилю, поезду или автобусу, прибывающему не из зараженного района и пересекающему территорию без посадки и высадки пассажиров или погрузки или выгрузки грузов.

Статья 28 Суда и самолеты в пункте въезда

4. Капитаны судов или командиры самолетов или уполномоченные ими лица как можно раньше до прибытия в порт или аэропорт назначения сообщают органам контроля порта или аэропорта о выявлении на борту больных лиц, состояние которых указывает на заболевание инфекционного характера, или **признаков наличия риска для здоровья населения**, как только капитану судна или командиру самолета становится известно о таких больных лицах или **рисках для здоровья населения**.

Examples of mistranslations – Russian (continued)

Article 33 Goods in transit

Subject to Article 43 **or unless authorized** by applicable international agreements, goods, other than live animals, in transit **without transshipment**

Статья 33 Транзитные товары

При условии соблюдения Статьи 43 **или как это допускается** применимыми международными соглашениями, товары, за исключением живых животных, находящиеся в транзите **без последующей** перегрузки

Article 33 Goods in transit

Subject to Article 43 **or as authorized** by applicable international agreements, goods, other than live animals, in transit without **further** transshipment

Статья 33. Транзитные товары

При условии соблюдения статьи 43 **и за исключением случаев, когда это допускается применимыми международными соглашениями,** товары, за исключением живых животных, следующие транзитом

Inconsistency in translation: «**Общая** декларация» (incorrect) and «**Генеральная** декларация» (correct) both are used in the text

Aircraft **General** Declaration

ALSO **aircraft** vs. **airplane** (in the existing text "Генеральная декларация **самолета**" - "**Airplane** general declaration" – incorrect)

Examples of mistranslations – Spanish

Mistranslations

English: [...] relevant **intergovernmental** organizations [...] (Art. 11.1)

Spanish: [...] las organizaciones **internacionales** pertinentes [...]

English: WHO should communicate **information** to other States Parties **that might help them in preventing** the occurrence of similar incidents. (Art. 11.1)

Spanish: La OMS comunicará la **información** a otros Estados Partes **que puedan prestarles ayuda para prevenir** la ocurrencia de incidentes similares.

Inaccurate translations (conditional verbs translated as imperatives)

English: [...] States Parties **should provide** [...] support [...] (Art. 13.5)

Spanish: [...] los Estados Partes **deben facilitar** apoyo [...]

Examples of mistranslations – Spanish (*continued*)

Missing words in the Spanish text

English: [...] the development, strengthening and **maintenance** of [...] (Art. 44.1 b))

Spanish: [...] el desarrollo y reforzamiento de [...]

English: *Information-sharing during unexpected or unusual **public health** events* (Art. 7)

Spanish: *Notificación de información durante eventos imprevistos o inusuales*

English: [...] infected or contaminated **or suspect** baggage, cargo, containers, conveyances, goods or postal parcels
[...] (Art. 18.2)

Spanish: [...] equipajes, cargas, contenedores, medios de transporte, mercancías o paquetes postales infectados o contaminados [...]

Additional words in the Spanish text

English: [...] a possible source of spread of disease; (Art. 1.1)

Spanish: [...] una posible fuente de propagación **adicional** de enfermedades

Options to address language errors

- Corrections of non-amended text together with corrections of amendments (was not possible due to lack of mandate)
- Acceptance of errors and inconsistencies (would not be satisfactory)
- Corrections of errors in order to have a fully correct version in all 6 official languages enter into force on 19 September 2025
 - Process to get a mandate from WHA
 - Informal process starting immediately in parallel to creation of mandate to fully correct all language versions
 - Formal process following WHA mandate

Procedural considerations

- No “language correction” procedure foreseen in the IHR (2005)
- Well-established UN practice for the correction of errors in multilateral treaties deposited with the UN Secretary-General
- Correction procedures in place in other UN organizations
- Proposal to align with UN practice

Proposed process at EB156 and WHA78

- At EB156: consideration of a proposed correction procedure and possible recommendation to WHA78
- At WHA78: consideration and possible adoption of the proposed correction procedure
- After WHA78: initiation of the formal correction process

Proposed informal process before EB156

- Review of the original IHR text by the Secretariat
- Informal process:
 - Proposed corrections shared with States Parties for their input
 - Based on input received, informal discussions between States Parties and the Secretariat on the proposed corrections
 - Submission of corrected versions for information to EB156 and WHA78

**Informal consultation on the proposed translation corrections in the text of the IHR (2005)
not covered by resolution WHA77.17(2024)**

Questions and answers

**Informal consultation on the proposed translation corrections in the text of the IHR (2005)
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Thank You