



PRACTICE ABSTRACT No 9

Keywords

legal certainty, performance indicators, policy evaluation, CAP, CMEF

The issue of inconsistent translations (EN→SL) in EU guidelines (CMEF) – Potential pitfalls and solutions

For evaluating the performance and effectiveness of the agri-environmental objectives in the EU the Common Monitoring and Evaluation Framework (CMEF) was established. The CMEF includes a list of performance indicators (PI) and their hierarchical structure. Reviewing the CME-framework and its underlying legal bases, we found inconsistent translations of the types of PI categories and their relations from English into Slovenian. The Slovene version document uses different terms for the same PI category. This disrupts the hierarchical levels of the PI categories, which creates ambiguity in the reporting obligations for Slovenia and can cause problems when evaluating performance indicators in practise. We therefore propose harmonizing the legal translation of PI categories in the CMEF:

1. 'output indicators' translates into 'kazalniki učinka'
2. 'result indicators' translates into 'kazalniki rezultata'
3. 'impact indicators' translates into 'kazalniki vpliva'
4. 'context indicators' translates into 'kazalniki stanja'.

This harmonized translation of PI categories should also coherently be applied in the Performance Monitoring and Evaluation Framework (PMEF), the successor of the CMEF. Our analysis shows that the inconsistency arose because the legal translators did not check for semantic differences (regarding previous versions of the regulation) and used wrong synonyms. These kinds of inaccuracies could be avoided by establishing internal legal dictionaries and by better coordinating the legal translation services, to make sure, that the translation of specific terms is consistent throughout the related legal documents.

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ADDITIONAL INFORMATION

The most controversial issue is the violation of the principle of legal certainty for Slovenia. Consistency in the translations of technical terms is vital to ensure a unified understanding of the rights and duties of the member states. Only then an appropriate and precise report on whether or not the agreed objectives have been met, is possible. Given the consequences of potential breaches that could arise from improper reporting, the issue of consistency should receive the attention it deserves. The [original article](#) about this subject was published by Janja Rudolf and Andrej Udovč (2021) in the [Journal of Central European Agriculture](#) (Volume 22, Issue 2)

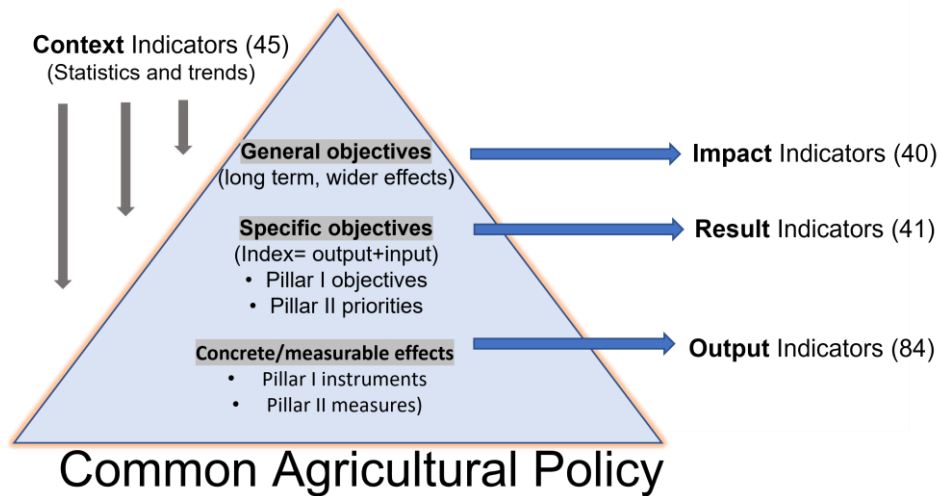


Fig: Hierarchy of the 4 types of performance indicators in the CMEF (source: own design, after Wieck, C. /Hausmann, I. (2019))

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