

Fair contracts for everyone's benefit – Common European guidelines for literary translators

By Juliane Wammen

This fall, the authors' rights working group of the European Council of Literary Translators' Associations, [CEATL](#), has published a set of [guidelines for fair translation contracts](#) across Europe. The guidelines are the result of several years of dedicated work, taking the previous [CEATL hexalogue](#) (or “six commandments of ‘fair play’ in literary translation”) as its starting point. At the Annual General Meeting of CEATL in 2016 in Barcelona, the working group, consisting of members from five countries, proposed an elaboration of the six commandments in order to create more concrete guidelines for making deals, and to give all actors within the publishing industry and book market a common ground from which to initiate negotiations on contracts for literary translation.



Members of the working group in Warsaw: Kevin Quirk, Gertrud Maes, Elisa Comito, Rafal Lisowski, Heikki Karjalainen, Morten Visby and Bjørn Herrman. Photo: Justyna Czechowska.

Babelfisken asked Dutch translator [Gertrud Maes](#) of the Authors' Right Working Group to elaborate on the main idea behind the new guidelines and in what situations they might be especially useful.

“We wish to offer a tool that stimulates translators to challenge the current practice of contract negotiation, not only for the member organizations, but for everyone involved in the field of translation. This is also why the guidelines are published on the CEATL public website and why we wish to spread the news about them as widely as possible.”

The usefulness of these guidelines differs, of course, from country to country and from situation to situation. But to give an example: In some countries, translators have the feeling of being unfairly treated, but they are not able to put their finger on the sore spot. In this situation, the guidelines may help single out those feelings in a concrete and usable way.

Secondly, the guidelines may be extremely useful in an early state of negotiations with e.g. a publisher or a publisher organisation on a (new) model contract – as a checklist for remembering the important points that ought to be an essential part of the negotiations. And thirdly, member associations can use the guidelines to check up on the situation in their own country: Are the model contracts as fair as they think, are their terms and conditions as good as they think, and so on.”

More concretely, how did the guidelines come about – and what were the benefits and challenges of working with these matters in a European setting?

“Initially, the working group wrote up a draft and sent it to all the CEATL delegates with a request to discuss and comment on the text in their respective organizations. A dynamic process began; the organizations provided a wealth of input, and best practices were discussed by representatives of the member organisations, both via e-mail and during the Annual General Meeting. The working group processed all the input, wrote up the final guidelines and submitted them to CEATL’s AGM in 2018 in Copenhagen, where they were unanimously adopted.

One great benefit of working in a European setting is the widening of one’s own view of the field. You obtain knowledge of the differences between the book markets, and in this way, you understand, in a very real perspective, that there are different interests. Furthermore, you get a better view on your own position as a translator on the market in which you are operating – the things you take for granted and consider normal in your own country, regarding your own contracts, might thus be quite different in other cultural and economic settings.

Conversely, the pan-European setting makes it demanding to end up with a result that is not contrary to national laws AND at the same time acceptable for all member organizations. It is quite challenging to formulate the guidelines in a wording abstract enough to pass in different situations, but concrete enough to be meaningful and useful.

On a more personal note, I really learned a lot from working in a multi-linguistic setting, being forced to explain the situation in my country in English, which is not my mother tongue. I had to think about it carefully, also the aspects I probably otherwise take for granted.

From here on, how do you see the guidelines being used and distributed inside and outside of the CEATL?

“As mentioned, the use of the guidelines will differ from country to country: In some countries, what is expressed in the guidelines is close to being the reality, in others, they sound like an impossible illusion. We would like to believe that our work will contribute to making the illusions reality – as it has happened earlier, when some countries have had similar far-away dreams and with a lot of perseverance, that dream came within reach, or became reality. There is always hope.

On a practical level, the working group will encourage the CEATL delegates to organize events around the guidelines, or to talk about them at every relevant opportunity, in events that they organize or where they are invited, large and small. It all begins with encouraging literary translators to get to know their own country’s copyright law (if they have one) – for instance by launching reading sessions in the member organization, comparing model contracts or terms and conditions with the guidelines.

It is a nice opportunity to make the members aware of what exists in their organization and what needs to be done. The guidelines may also be presented and discussed in panels during public events. And of course, the delegates will be asked to share their activities as inspiration for other CEATL delegates.

Furthermore, we have distributed the guidelines to parties outside CEATL, e.g. the [Federation of European Publishers](#), [Fédération Internationale des Traducteurs](#), [PEN International](#), [International Authors’ Forum](#), [European Writers’ Council](#) and the like, in the hope that having a concrete document to

take as a starting point will help literary translators get fairer deals. In this way, we hope to keep up the work and sharpen the awareness of the need for fair translation contracts in the European book market – for the benefit of all parties involved.”

October 9th 2018 the Authors' Rights Working Group met in Warsaw, Poland, to discuss the new guidelines and meet with the Polish translators' association. Listen to a podcast of the meeting [here](#).

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