

CHALLENGES IN TRANSLATING LEGAL CONTRACTS

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Abstract: The translation of legal contracts is a complex and in many ways delicate process that involves many difficulties. These difficulties will be associated with the professional knowledge of the translator, a correct understanding of legal terminology, differences in cultural and legal systems, as well as the peculiarities of the language. Legal texts, in particular contracts, require specific rigor and clear expressiveness, since any mistake or misconception can lead to large financial or legal consequences.

Keywords: legal contracts, translation, legal knowledge, language, context, legal rules, system, legal texts.

One of the main difficulties in translating legal contracts is the differentiation of legal systems. Each country has its own legal rules, laws and terminology, which makes it difficult to find the right match between different systems. For example, there are many differences between the continent legal system and the anglo-Saxon legal system. The translator must correctly interpret not only the meaning of words, but also their legal context. This requires deep legal knowledge and experience. Legal terminology is specific and complex, and can often have several meanings of words. While some terms have a clear and singular meaning in one language, it is difficult to find their equivalent when being translated into another language. For example, when the word "indemnity" is translated from English into Uzbek, it is complicated to find a single word that represents its full legal content. For this reason, the translator is often forced to make additional explanations or comments.[1]

Language identity and cultural differences also play an important role in translation. Legal texts are often written in a formal and traditional style, which further complicates their translation. Each language has its own grammatical rules and methods of expression, which are difficult to translate legally accurately and fluently. In addition, some cultural concepts or legal institutions may not exist in other languages and cultures, forcing the interpreter to find new solutions. Phrases and formulas used in legal contracts are also specific. Many contracts come in standardized forms, each word and phrase of which has a specific meaning. Using these phrases in translation in the wrong or general sense can change the essence of the contract. Therefore, it is necessary that the translator retains the original meaning of each phrase and transfers it to a new language in a clear and understandable way. Another important aspect in

the translation of legal contracts is legal responsibility. The translator must provide a correct and accurate translation of the text of the contract, since any mistake or misconception can lead to disputes between the parties. Therefore, it is necessary that the translator is highly attentive and professional, as well as carefully perform the processes of re-examination and editing of translated text.[2]

The technologies used in the translation process also have their place in the translation of legal texts. While it is possible to automatically translate certain terms and phrases using modern translation programs and artificial intelligence, the human factor is still important due to the complexity and subtlety of legal texts. Automated translations often do not fully understand the context and can lead to mistranslations. Privacy and security issues are also of great importance when translating legal contracts. Many contracts contain confidential information, so translators and translation organizations must follow strict data protection regulations. Privacy violations can cause the client to lose trust and lead to legal problems.[3]

Also, the qualifications and experience of the translator are a decisive factor in the successful translation of legal contracts. Translators who do not have deep knowledge in the legal field can translate ambiguously or incorrectly, which has serious consequences for the parties to the contract. Therefore, specialists who have undergone special training for legal translations, are attracted who are well versed in legal terminology. In the process of translating legal contracts, it is also necessary to take into account the needs and requirements of the parties. Each contract is unique, in the translation of which a special approach is required. While some contracts only serve as an official document, others can be used as evidence in court. For this reason, it is important that the quality of the translation is at a high level and free from any inaccuracies.

Another problem that arises in translation is the differences in legal culture. Some legal concepts and institutions are common in one country, while others may not exist at all. In this case, the translator will have to make additional comments to explain them or find equivalent concepts. Such situations further complicate the translation process and take longer. It is also important to harmonize accuracy and fluency when translating legal contracts. The text of the translation should be not only legally correct, but also understandable to the reader. This requires the translator to be highly qualified both linguistically and stylistically. Because contracts in particular often have a complex and technical language, they can be difficult to express simply and accurately. It is also important to comply with the standards and regulations used in the translation of legal contracts. Many international organizations and legal service companies have developed their own translation standards. These standards help ensure the quality of the translation process and reduce errors. Translators must work following these standards.[4]

There is also a need for legal advice in the translation process. In some cases, the translator must consult with legal professionals, not limited to his knowledge. This ensures correct and accurate translation of the text of the contract and prevents legal errors. Time constraints are also an important factor in translating legal contracts. Contracts are often required to be translated for short periods, which can negatively affect quality. Translators need to manage time efficiently and do the job while maintaining quality. The examination and editing of translated legal contracts is also of great importance. At this stage, errors are detected and corrected, and the general style and accuracy of the text is ensured. Many organizations attract special experts for this process. When translating legal contracts, technical aspects should also not be overlooked. For example, the formatting of the text of the contract, the location of sections and items must be saved in the translation. This provides convenience for the parties to the contract and facilitates its adoption as a legal document. In the translation of a legal contract, the provision of confidentiality is carried out through several basic principles and measures. First of all, a confidentiality agreement or agreement is concluded between the translator and the translation organization. It makes it clear that all information, documents and customer-specific details used in the translation process must be kept secret. The translator is forced to comply with this agreement, which prevents customer information from going outside. Secondly, the safety of technologies and platforms used in the translation process is important. Translation documents are transmitted only through reliable and encrypted communications, and are also stored on servers protected by special security protocols. These techniques reduce data theft or unauthorized viewing. Thirdly, only specialists directly involved in the project are involved in the translation process. These individuals are also required to strictly follow privacy rules, with privacy training being conducted for them if necessary. In addition, the level of access to information within translation organizations will be limited, that is, only employees who need it will have access to documents. Regular audits and supervision are also conducted between translation organizations and clients to ensure confidentiality. In these processes, the security and confidentiality of information is checked, defects are identified and eliminated. Internal policies and regulations are constantly updated to prevent privacy breaches. In the translation of a legal contract, legal measures are also used to ensure confidentiality. If privacy violations occur, the client's rights are protected and legal action is taken against the parties responsible. This encourages translators and translation organizations to be responsible and cautious. In general, in order to ensure confidentiality in the translation of a legal contract, a high level of attention, technical and legal means, as well as adherence to professional ethics, are necessary. Only in this way is the security of the customer's data guaranteed and reliable service provided.[5]

Conclusion:

In general, the translation of legal contracts is a complex and responsible work that requires a high level of professionalism and deep knowledge. The translator must have not only knowledge of the language, but also a deep understanding of legal systems. He should also always prioritize accuracy, fluency, privacy and responsibility. Only in this way can the translation of legal contracts serve to strengthen trust and cooperation between the parties.

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