



MAX-PLANCK-GESELLSCHAFT

МАХ-ПЛАНК-ГЕЗЕЛТШЧАЛ



MARTIN-LUTHER-UNIVERSITÄT  
HALLE-WITTENBERG

**SOCIETY  
AND CULTURE  
IN MOTION**

DIFFUSION  
EXPERIMENT  
INSTITUTION

INSTITUTION  
EXPERIMENT  
DIFFUSION

# *CAN LEGISLATIVE JARGON LEARN FROM CHILDREN?*

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## INCLUSION THROUGH ACCESSIBILITY OF LANGUAGE IN CRPD & DRIP

MPI Sozialrecht & Sozialpolitik München  
“Diversität und Inklusion – Umgang mit Vielfalt und Verschiedenheit  
bei Beeinträchtigung und Behinderung”

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**Making individual & collective concerns heard**

**What can translation contribute to human rights practice?**

# OUTLINE



**I. HR context**

**II. Linguistic Simplification**

**III. Text analysis**

**IV. Outlook**

# I. HR & Discourse



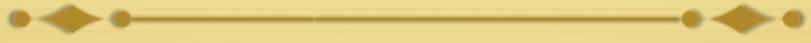
# Context



# II. Plain Language & Texts



# Method for Accessibility (1): Content



**„Simplification [...] can be regarded as a special form of intra-lingual translation, the purpose of which is to make a given text simpler [...] by bringing its contents within the area of language already assumed to be known to the proposed audience.”** (Bhatia 1983:42)

- E.g. Explanation of terminology; contextualisation; practical exemplification; re-phrasing

# Method for Accessibility (2): Form

**Plain language** “avoids obscurity, inflated vocabulary and convoluted sentence construction. Writers [...] let their audience concentrate on the message instead of being distracted by complicated language. They make sure that their audience understands the message easily.” (Robert Eagleson)

- E.g. Sentence length; line spacing; images; punctuation/symbols; font size; paragraph layout; contrast

# Plain Language Rules



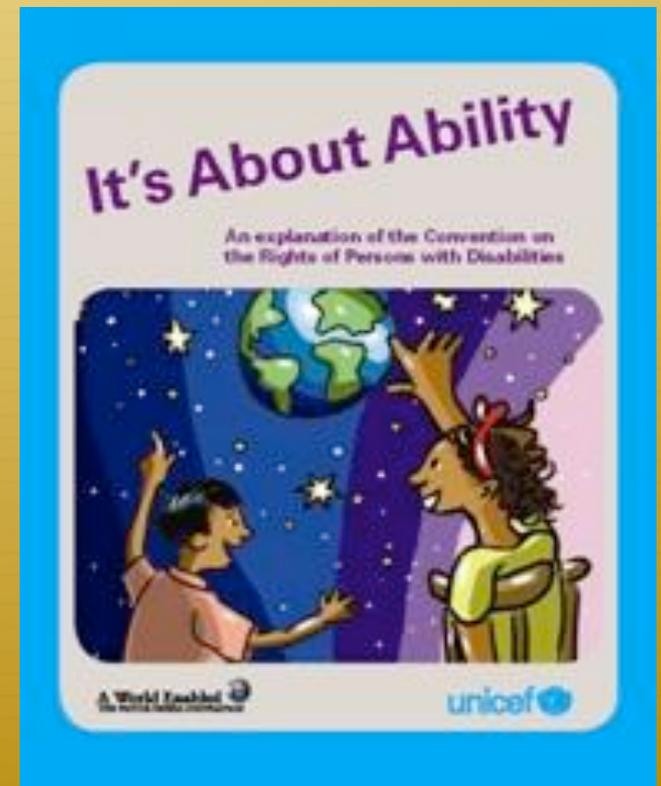
- ✦ Short sentences
- ✦ Syntactic weight
- ✦ Active voice
- ✦ Syntax: S-V-O
- ✦ Avoid subjunctive
- ✦ Simple relation among words
- ✦ Examples rather than abstraction
- ✦ Avoid Metaphors
- ✦ Explain technical terms
- ✦ 25 words per sentence
- ✦ Write out acronyms
- ✦ No 'baby talk'
- ✦ Provide illustrations
- ✦ Provide overview of main points
- ✦ Address the reader
- ✦ Avoid formality

# CRPD

## *“It’s About Ability – An Explanation on the Rights of Persons with Disabilities”*

(Pineda, 2008)

- DPO activist
- UNICEF
- Children and teenage PwDs
- Arabic, English , French , Japanese, Khmer, Russian, Serbian, Spanish 

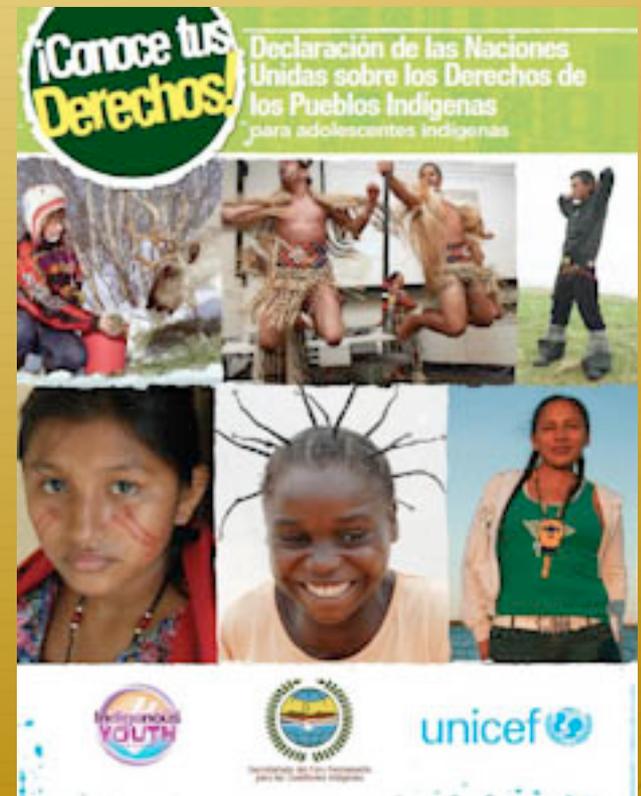


# DRIP

## *“United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents”*

(Blackstock, 2013)

- Indigenous rights campaigner
- UNICEF
- *Global Indigenous Youth Caucus & teens (AUS/Belize/USA)*
- English, Spanish



## THE CONVENTION IN BRIEF

### Article 10: Right to life

Every human being is born with the right to life. Governments guarantee that this is equally true for people with and without disabilities.

### Article 11: Situations of risk and emergencies

People with disabilities have the same right as everyone else to be protected and safe during a war, an emergency or a natural disaster, such as a storm. You cannot legally be excluded from a shelter or left alone while others are rescued because you have a disability.

You have the right to life. It is your gift, and no one, by law, can take it from you.



### Article 12: Equal recognition before the law

People with disabilities have the right to enjoy 'legal capacity' in the same way as other people. This means that, when you grow up, whether or not you have a disability, you can do things like get a loan to study or sign a lease to rent your own apartment. And you can own or inherit property.

### Article 13: Access to justice

If you are harmed by a crime, have seen others harmed or are accused of doing something wrong, you have the right to be treated fairly when your case is being investigated and dealt with. You must be given help to express yourself in all legal processes.

### Article 14: Liberty and security of the person

Governments should make sure that people with disabilities have their freedom protected by law, the same as all other people.

### Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

No one should be tortured or humiliated or treated cruelly. And everyone has the right to refuse medical or scientific experiments.

### Article 16: Freedom from violence and abuse

Children with disabilities should be protected from violence and abuse. They should not be mistreated or harmed in their home or outside. If you have faced violence or maltreatment, you have the right to get help to stop the abuse and recover.

### Article 17: Protecting the person

No one can treat you as less of a person because of your physical and mental abilities. You have the right to be respected by others just as you are!

# Word Bank

**Adopt:** To formally accept (for example, a declaration or a convention).

**Articles:** A paragraph or a section in a legal document that is numbered; these numbers make it easy to find information, and to write and talk about it.

**Concluding Observations:** Written advice provided by UN committees overseeing human rights conventions. For example, the Committee on the Rights of the Child makes Concluding Observations to a government upon having reviewed the government's regular report to the Committee.

**Convention:** A convention (or treaty) is an agreement between countries to behave in a certain way and can be about several issues, as for example human rights. Governments have to do two things with conventions: firstly, they have to sign on to it to show that they really agree to what the convention is saying. Secondly, the parliament of that country needs to approve it. The second step is called ratification.

### Convention on the Rights of the Child (CRC):

An international agreement to ensure that all children enjoy their rights and have special care and protection they need as children (aged 0–18 years). The Member States of the United Nations (or countries that form part of the UN) adopted the Convention on the Rights of the Child in 1989. Almost every country has agreed to these rights.

**Culture:** Involves the language, customs, ideas and art of a particular group of people. It also includes religion, dress, means of livelihood and lifestyle. Indigenous peoples have a right to their distinct culture and traditions.



**(Indigenous) Customs:** A practice followed by people belonging to a particular indigenous group. Customs include spiritual ceremonies, drawings, stories, books, songs, dances, art, dress and designs.

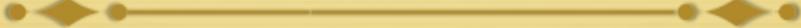
**Declaration:** An agreement among countries about a specific issue that requires urgent action. It tells us what governments must do or not do around such an issue.

**Disabilities:** Persons with disabilities may have difficulty seeing, hearing, walking, or learning and understanding things. These difficulties, when combined with obstacles imposed by society (including negative attitudes and inaccessible environment), prevent persons with disabilities from participating equally in society.

# III. Text Extracts



# Define



## CRPD f. Children

### What are laws

*Laws are rules that everyone has to follow so that people respect each other and live together safely.*

(p.8)

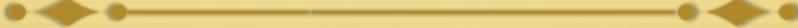
## DRIP f. Teens

### Law:

*A set of rules to protect society and dealing with people who hurt others.*

(p.33)

# Provide Examples



## CRPD f. Children

*Boys and girls with disabilities have the same rights as all children. For example, every child has the right to go to school, to play and be protected from violence, and to be involved in decisions that affect him or her.*

(p. 10)

## DRIP f. Teens

*Indigenous peoples are equal to all other peoples, but they also have the right to be different, for example in the way they dress, the food they eat and in the language they speak.*

(p. 12)

# Describe

## CRPD f. Children

### DISABILITY:

I have no legs,  
But I still have feelings,  
I cannot see,  
But I think all the time,  
Although I'm deaf,  
I still want to communicate,  
Why so many people see me as  
useless, thoughtless, talkless,  
When I am as capable as any,  
For thoughts about our world.

- Coralie Severs, 14, UK (p.2)

## DRIP f. Teens

### Indigenous Peoples:

*[...] are descendants of the original people or occupants of lands before these lands were taken over or conquered by others. [...] maintained their traditional cultures and identities [...] contribute to enriching the world's cultural and linguistic diversity.*

(p.34)

# Make Plain?



## DRIP

*States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.*

(Art.11, §2)

## DRIP for Teens

*Governments will work with indigenous peoples to ensure **indigenous property rights** to their cultures, knowledge, **spiritual and religious traditions** are respected, and to address cases where these have been used without free, prior and **informed consent**.*

(Art. 11, §2, p.14)

# Make Plain?

## CRPD

1. *[PwDs] have the right to recognition everywhere as persons before the law.*
2. *[...] enjoy legal capacity on an equal basis with others in all aspects of life.*
5. *[...] shall ensure that persons with disabilities are not arbitrarily deprived of their property.*

(Art. 12)

## CRPD for Children

### *Equal recognition before the law*

*People with disabilities have the right to enjoy 'legal capacity' in the same way as other people. This means that, when you grow up, whether or not you have a disability, you can do things like **get a loan** to study or **sign a lease** to rent your own apartment. And you can own or **inherit property**.*

(Art. 12, p.12)

# Make Plain

## CRPD

*States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.*

*[...] shall ensure that children with disabilities have the right to express their views freely on all matters affecting them [...]*

(Art. 7)

## CRPD for Children

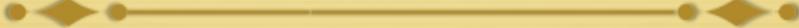
*Governments agree to take every possible action so that children with disabilities can enjoy all human rights and freedoms equally with other children. They also agree to make sure that children with disabilities can express their views freely on all things that affect them.*

(Art. 7, p.10)

# IV. Outlook



# Lessons Learned?



1. Adjust to pool of knowledge
2. Address the individual AND the group
3. Individual as a performer, NOT as a passive spectator
4. Use EASY language wherever necessary and possible
5. Maximum TRANSLATABILITY and TRANSLATION of texts

Thank you

**Gee thanks.**

I never noticed I had  
learning disabilities until  
you so kindly pointed it out.



**Open your mind not your mouth.**

ENABLE, 6th floor, 7 Buchanan St, Glasgow G1 3HL. Tel: (0141) 226 4541. Fax: (0141) 204 4398. e-mail: enable@enable.org.uk This poster has been funded by the European Union.



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