



Position Paper on the Use of AI in Interpreting

The integration of Artificial Intelligence (AI) into the field of translation and interpreting presents significant issues for both professional interpreters and the individuals whose words they interpret. As a global body representing over 65,000 individual translation, interpreting and terminology practitioners in over 65 countries, the stance of the International Federation of Translators is firmly against the replacement of human interpreters with unsupervised, unrevised machine interpreting and translation, as it creates unacceptable levels of risk and error, and undermines the role of professional interpreters and translators. Cases are arising in which governments and organisations are tempted to use unsupervised AI translation tools for either translation or interpreting.

The global trend of the previous decades has been towards increased support and investment for wider implementation of strict accreditation and quality assessment standards, increased training and ongoing professional development. We fear that increased use of artificial intelligence will severely reduce overall levels of human skill and professional competence in vital areas, leading to deskilling of professions and a marked decrease in the number of active professionals. Given the vulnerabilities evidenced during the recent technology failure due to a global IT outage, replacing skilled humans with technology entirely is a decision fraught with risk, liability, and very real consequences.

Regarding the specific case of the Czech Republic

One important test case is the proposed draft bill regulating entry and residence of aliens (the Aliens Act) Ref. No. MV-132202-9/OBP-2022 which includes Section 477 (1) stating, “The administrative authority may use a certified technical device for interpretation during proceedings instead of an official interpreter registered in the list of court interpreters and court translators.” This is problematic.

In the Czech Republic, interpreters are licensed under Act No. 354/2019 Sb, ensuring the right to an interpreter is protected by law, constitutional provisions, and international treaties such as the European Convention on Human Rights. The proposed provision contravenes Act No. 354/2019 Sb., which mandates that interpreters must deliver interpreting in person and that only individuals can be interpreters.

Replacing certified human interpreters with a “certified technical device” raises serious concerns regarding the accuracy, impartiality, and clarity of interpreting in sensitive legal and administrative proceedings.

Rights Denied

The right to a fair trial is a fundamental right enshrined in law (ECHR Article 6, IACHR Article 8, and Czech Act No. 354/2019 Sb.). Foreigners who do not speak the language of the court are legally entitled to an interpreter’s assistance to exercise this right. Any possible inaccurate



interpretation conducted via such “certified technical device” can lead to violations of the individual’s rights.

Inability to Supply an Interpreter

Using machine interpreting as a stop-gap for a lack of interpreters is unacceptable. It does not fulfil the requirement to supply an interpreter and increases the risk of harm and potential violations of rights. Effective interpretation requires more than just any form of translation; it requires accuracy and human oversight.

Accountability

The use of technology in legal and administrative proceedings raises the issue of accountability. A human interpreter can be held liable for errors, but a technical device cannot. This lack of accountability for machine-generated errors poses significant risks to the fairness and integrity of proceedings. All parties to the proceedings should be liable for their actions and the implications thereof, and this includes those who supply a device being held liable for the device’s failures.

Recourse and Right of Reply

The Aliens Act states that an alien can object to the inaccuracy of the interpretation until the end of the interpreted act. However, neither the alien nor the interviewing officer typically speaks both languages, making it impossible to objectively assess the quality of machine interpretation and lodge an objection within the stipulated timeframe. This element of the current draft law denies the alien the right to effective recourse and reply.

Confidentiality

Machine translation and AI cannot reliably ensure the confidentiality required in such proceedings, posing risks under GDPR and other privacy laws.

Personal Context

Individuals requiring interpreting under Section 477 (1) are likely to be highly traumatised and in a situation of high stress, lacking adequate social, family, and financial support. They are highly vulnerable, making accurate and empathetic interpretation critical. Implementation of the draft law as it stands would compound their situation of vulnerability.



Technical Issues

The draft bill does not specifically detail what constitutes a “certified technical device,” but the explanatory memorandum refers to “machine translation software”¹. Machine translation has demonstrated limited competence² with speech recognition complexities, such as modulation, volume, pitch, regional dialects and linguistic nuances. These errors are much greater in rare language combinations or languages with limited training data. Even small errors can have grave consequences in legal situations. The automated transfer between languages is (and is likely to remain) far from fault-free for a considerable time in the future.³ Machine translation is but a translation tool, not an interpreting service. It fails to adequately address cultural differences and contextual subtleties that are critical in high-stakes interpreting situations such as the specific circumstances envisioned in the case of the Czech Republic.

Cultural Considerations

Cultural understanding and nonverbal communication are crucial in interpreting. Technology cannot adequately convey cultural nuances, body language, idiomatic expressions, and context-dependent meanings, leading to possible misinterpretations and subsequent harm and infringement of rights.

Given these concerns, we believe Section 477 should be withdrawn from the draft bill to ensure the integrity and fairness of interpreting services in the Czech Republic.

Conclusion

AI-powered translation is currently an unreliable technology and is not sufficiently mature to adequately replace human translators and interpreters in sensitive legal situations, especially regarding immigration law. Artificial Intelligence cannot be used in an unsupervised form and requires professional human oversight both now and for the foreseeable future. Arguments in its favour that derive from financial and budgetary considerations belie a false economy, as the costs associated with failure far outweigh the cost of appropriate implementation by humans. When AI is used to perform unsupervised automated interpreting via methods using machine translation, it fails to adequately meet the criteria outlined above and should therefore be excluded from use in situations such as those implied in the proposed draft bill in the Czech Republic.

¹ This indicates that the possible intention is to use a process of ‘speech to text, machine translation of text, text to speech’ to render the content for an individual.

² <https://www.theguardian.com/us-news/2023/sep/07/asylum-seekers-ai-translation-apps>

³ See the notion of ‘catastrophic errors’ as used in pertinent scholarly literature: [Kocmi et al., 2021](#), p.160).