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The Fate of Local Interpreters

PAST AND FUTURE CHALLENGES IN MILITARY OPERATIONS

In the aftermath of Iraq and Afghanistan, the use of local interpreters emerged as political and ethical themes in Denmark, raising a variety of critical issues. Who is accountable for the interpreters? And how can the safety and well-being of the interpreters be safeguarded in future operations? Risk-reduction and accountability concerns may be fruitful ways to start.

Interpreters are vital in military operations and facilitate duties such as training and mentoring as well as meeting with local communities, power brokerage, and interrogation of enemies. One type of interpreters are the *local interpreters* who are generally defined as nationals of the country in conflict and are often knowledgeable of

local cultural practices, more readily available and less costly than interpreters from Denmark.

As nationals of the country in conflict, local interpreters assisting foreign military forces are commonly poised between trust and distrust. The literature on interpreters in conflict reveal that they are often narrated as either one of 'us' or one of 'them' by other participants in a conflict, including the military, local communities, and enemies. This has been the case during the Cold War as well as in recent conflicts such as the one in the Balkans, Iraq, and Afghanistan.

During the mission in Iraq from 2003-2007, the Danish forces used interpreters from the immediate local area.

As a lesson learned from the security issues related to their recognizability by local communities and enemies, most interpreters in the mission to Afghanistan have been recruited from other parts of the country than the area of operation (from 2008 where registration is available). However, local interpreters are still considered in risk of being targeted or intimidated by the Taliban as pointed out in the Danish Immigration Service fact-finding mission to Afghanistan (2012) referring to UNHCR and the IOM.

The question is how the risk for local interpreters can be reduced? Based on available evidence and targeted interviews carried out in relation to this research it is clear that questions of accountability towards the interpreters emerge continuously if risk is not adequately reduced.

Risks for local interpreters are context specific

It appears from interviews that risks for local interpreters occur first and foremost if they are recognized by enemies or by relatives that disapprove of the forces that they are working for. It is pointed out that the use of local interpreters in high-risk situations such as interrogations of suspects might reveal the identity of the interpreter. Secondly, several interviewees mention that exposure in the media and social media, as well as lack of face masks during patrols in Afghanistan can lead to the recognition of interpreters. A third aspect concerns the lack of systematic registration of the interpreters, for instance errors in the spelling of the interpreters' names in the so-called "letters of appreciation" that the local interpreters receive from their commander after their job is completed. Interviewees as well as a statement from the Danish Defence Command likewise mentioned errors in the interpreters' case files and the registration of the security threats they might have experienced during their employment. This could potentially lead to unsystematic management of the interpreters safety situation while in the field, according to the former deployed soldiers and former interpreters. Finally, disappointment experienced by local interpreters often stemmed from an unclear adjustment of expectations between them and their employers concerning their security during employment as well as for their future lives after military withdrawal.

Risk-reduction for local interpreters in military operations should be at centre stage from preparation, during and in the post-conflict phase through proper planning, communication and

expectation management. Yet, it is important to emphasize that any conflict presents a particular set of practical and ethical challenges. From interviews carried out with the Danish Defence, former deployed soldiers, and local interpreters, it was evident that the security situation in the specific conflicts continuously changed and varied from e.g. Iraq to Afghanistan and from region to region within these countries. Risk-reduction is therefore about adaptability and requires, inter alia, the conduct of context-specific analyses in the preparation phase of each conflict aimed at identifying problem areas related to the various stages and geographical areas of an operation. Such an analysis could take into consideration the potential and specific interpreter groups' characteristics (such as education, previous job situation, ethnicity, and gender). Even with a careful preparation phase, the risks for local interpreters cannot be expected to be reduced completely during or in the unpredictable aftermath of conflicts. On this background the International Federation of Translators has recommended the development of an international legal instrument protecting interpreters working in conflict zones.

According to interviewees, the offer of relocation to Denmark is a substantial way of reducing risks in the post-conflict phase, in particular in the cases where the safety of the interpreters who have served with the Danish forces cannot be ensured locally. Across the interview group, relocation and asylum were the primary themes linked to the complex question of moral accountability towards the interpreters. Opening up for faster relocation as a way to reduce the risks for interpreters is supported by experiences from Iraq and Afghanistan where the security situation especially in the withdrawal phase of operations has been, or continues to be, unpredictable. The numbers of land-based conflicts involving local interpreters under Danish command are relatively few, as are the total number of local interpreters in need of relocation if seen over the ten year period including the operations in Iraq and Afghanistan. Additionally, many interpreters might return voluntarily if security is established in their home country, as was the case with the Iraqi interpreters who received asylum in Denmark. In this case approximately fifty percent of them later returned to Iraq. Finally, as the most recent status for the interpreters used in Afghanistan reveal, not all local interpreters are interested in relocation but prefer local solutions to ensure their security situation.

Nothing indicates that Western military forces will be able to reduce their reliance on interpreters in the

“Even though we do not hold the responsibility of employment we won’t leave any [interpreters] behind (...). Do we hold the juridical responsibility – presumably not (...) Do we have a moral responsibility? It is up to one self to decide.”

Former Minister of Defence, Nick Hækkerup, to the Joint Council of the Danish Defence Committee 2013.

future as some operations turn into long-term capacity building and advisory roles in countries of conflict. The consequences of not reducing risk for interpreters, according to the interview group, include:

- **The human costs** - The lives of the interpreters and their families might be jeopardized. A statement from the Danish Defence revealed that five interpreters were killed and 12 others injured while working under Danish command.
- **The economic costs** - The administrative burden for the Danish Defence and the Ministry of Defence to offer interpreters safety in the aftermath of the conflicts in accordance with the ‘interpreter agreements’ has been significant (2007, 2013).
- **The costs of reputation** - High risks to interpreters and questions of unresolved accountability compromise the reputation of the Danish Government and the Danish Defence. The attention from the public and media to the “interpreter cases” has been significant both during and following the missions in Iraq and Afghanistan. It was likewise mentioned during the interviews that the question of accountability was important within the ranks, in particular among former deployed soldiers in Afghanistan who wanted to support the local interpreters who worked in the frontline with them.

The Question of accountability

From the perspectives of most interviewees the risks that the local interpreters face while working under Danish command is deeply intertwined with the complex question of accountability towards the interpreters.

The 195 local interpreters who assisted the Danish forces in Afghanistan did not hold legally binding contracts with the Danish forces, but with the British Government (HMG), represented by the British Labour Support Unit, (LSU) and the private American contractor Mission Essential Personnel (MEP), meaning that Denmark has no formal legal responsibility for the interpreters.

Even so, according to the interview group, the attention from the public, politicians as well as within the military ranks grew to assist the interpreters who stood by the Danish mission, resulting in the political agreement on the management of interpreters (2013). The agreement meant that “Denmark will enter into an agreement with Great Britain regarding a coordinated Danish-British management of the interpreters and other locally employed in Afghanistan, who have been employed by the British military, and who have assisted the Danish military units in Afghanistan”. The difference between the UK redundancy scheme and the Danish agreement is that whereas the UK offers relocation to the UK for local personnel, including interpreters, the Danish agreement implies that the management of local interpreters “comply with the regulations on asylum of the Danish Aliens Act. This especially includes the demand for a specific and individual evaluation in each case”¹. Thus, the Danish agreement includes measures such as reimbursement for self-arranged security solutions, local solutions in Afghanistan, possible visa to Denmark to apply for asylum or, alternatively, relocation in the UK. A central issue in the “interpreter cases” has been that not all of the interpreters who wanted to apply for asylum in Denmark were given the option due to specific restrictions in the agreement.

The work of managing the interpreters has in the aftermath of the Afghanistan mission led to extensive coordination between British and Danish civilian and military authorities for ensuring a legitimate, timely and correlated implementation of the respective policies on the management of interpreters. Due to the UK’s juridical responsibility towards the interpreters working under Danish command, the UK agreed to relocate the interpreters who were not found eligible to apply for asylum in Denmark. Denmark therefore has reimbursed the UK for relocating 23 interpreters (as of December 2014). The complex questions of accountability thus emerge even when interpreters are employed by and sub-contracted through allies.

¹) Excerpt from the Danish “Agreement on the Management of the Situation for Interpreters and other Locally Employed in Afghanistan”. 2013.

**STATUS FOR THE MANAGEMENT OF
AFGHAN INTERPRETERS IN DENMARK
(AS OF DECEMBER 2014)**

Inquiries by interpreters out of the total 195+	151
Reimbursement for interpreters expenses for self-arranged security solutions	17
Local solution	7
UK relocation	23
Offered VISA to DK to apply for asylum	10
Rejections (interpreters not covered by the agreement on management of interpreters)	42
Granted asylum in DK	6

The case of the UK: Is outsourcing the answer?

The UK government expects that up to 600 of the Afghans employed by the UK may be eligible for the option of relocation offered through the UK redundancy scheme. The British Ministry of Defence considers the costs of the entire redundancy scheme significant and estimates it to be above £90 million². Mainly due to a “combination of money and juridical liability”, according to the British Ministry of Defence, in the future the UK government will not directly employ local staff, including local interpreters, but seek to recruit them through private contractors (UK companies or local companies so as to boost the local economy). By outsourcing inter alia linguistic services to private contractors, the British Ministry of Defence expects to achieve a secondary rather than a primary responsibility towards the interpreters.

The UK is not the only country considering outsourcing. Research shows that modern warfare - in particular service functions such as interpreting - is increasingly outsourced to private contractors. Despite the outsourcing and the expectation of achieving secondary responsibility, however, available evidence and interviews show that the theme of moral accountability continuously emerges and that there is a tendency to ultimately perceive the security of the interpreters as the responsibility of the state rather than the private contractors employing the interpreters. This tendency is echoed in much of the academic literature on the increasingly complex interdepend-

ence between public and private agents in security governance, which also revolves around the issue of how to ‘share’ responsibility without simply evading it.

In the future, the Danish Defence should consider making it context dependent whether to employ interpreters through private contractors, employ interpreters nationally or rather ‘pool’ interpreter resources with other nations. When opting for private contractors, a risk-analysis should be initiated. Such an analysis should investigate the relationship between price versus the services offered, as low costs of linguistic service might backfire and produce other problem areas. For example, does the risk for privately contracted interpreters vary from the ones hired directly by the national forces? What are the juridical implications of private contracts for employee protection? How do private contractors recruit and keep interpreters safe? How are interpreters’ case files handled? What is the ratio of interpreters to soldiers? Is there a reasonable wage structure (as interviewees suggested that low wages might produce less loyalty to the forces)? How are security screenings of interpreters handled, and what are the actions taken, when interpreters face intimidations and security threats?

Based on the experiences supplied by the interview group and evidence from e.g. Denmark, Norway, the Netherlands and the UK it is clear that questions of accountability towards the interpreters emerge continuously and are not eliminated by changing the structure of employment – whether it is private or national.

Moving forward

Risk-reduction and accountability are deeply intertwined and should be the two themes guiding future engagements with local interpreters from the preparatory phase, during the conflict to after the conflict has ended. The following recommendations could be considered for future operations.

²) This includes locally recruited personnel in general and not merely local interpreters.

Operational recommendations

1. The use of local interpreters in high-risk situations such as interrogations of suspects that might reveal the identity of the interpreter should be avoided. Recruitment of language officers with a Danish citizenship should alternatively be considered, in order to reduce the risks for local interpreters and avoid the question of relocation.
2. To avoid recognition, strict policies as well as enforcing existing policies on the use of cameras, face masks, and of social media should be implemented where interpreters mediate in local communities.
3. To protect against recognition, stationing of the interpreters should be avoided in the same camp and in the frontline for long periods of time. Rather interpreters should be circulated frequently.
4. Standardized case files of interpreters, and the intimidations they might experience, as well as maintenance of these files, should be ensured to systematically assess their security situation.
5. When signing the contract, a clear adjustment of expectations between interpreters and employer should take place. The commander in chief should clearly and systematically state the rights and possibilities for protection during and in the post-conflict phase to the interpreters.

Policy recommendations

1. The Danish Defence should initiate a context specific risk-analysis on the use of interpreters in the preparatory phase of each conflict to identify problem areas and reduce risks.
2. In the situation where the Danish Defence considers outsourcing of linguistic services to private companies, a thorough risk-analysis (focusing on risk-reduction for interpreters) should be conducted.
3. Policy makers should work towards establishing local solutions for interpreters whenever possible, as well as towards establishing collective practices for relocation or temporary residency for interpreters who in specific cases may need relocation during a withdrawal phase to minimize risk.
4. The Danish Government should support and work for an international safety document for the protection of interpreters in conflict zones as recommended by the International Federation of Translators 2014.

About the research

This research builds on a literature review and qualitative interviews conducted in the period from September - December 2014. Seventeen interviews were conducted with former Afghan interpreters currently residing in Denmark; the Danish Ministry of Defense; the UK Ministry of Defense; the Danish Ministry of Foreign Affairs; the Danish Defense Command; former deployed soldiers and language officers; Danish asylum lawyers and The Danish Taskforce 13 to Afghanistan (with the participation from Danish Immigration Service and the Danish Ministry of Defense).

The study is commissioned by the annual grant to DIIS from the Ministry of Defense.

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The literature review additionally consists of some 50 newspaper articles from the Danish and international media and other material concerning the use of local interpreters in primarily missions to Iraq and Afghanistan.

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