



Errors in EU-English

by Jeremy Gardner¹

The lack of simplicity, clarity and accessibility of European provisions – such as unclear, confusing terminology, incomplete or inconsistent regulations or use of vague terms – constitute significant problems
The 2001 Mandelkern Report on Better Regulation (in Robinson 2014: 8)

1. INTRODUCTION

The EU espouses a unique policy of multilingualism. Its institutions currently have 24 official languages, which are also all working languages (and rising – current candidate and potential candidate countries are Albania, Macedonia, Montenegro, Serbia, Turkey and Bosnia-Herzegovina)². Although these languages theoretically enjoy equal status³, for around four decades, most interactions took place in French and most publications were originally drafted in French. This means that the English versions of many of the older EU texts, including some fundamental legislation, were heavily influenced by the translation process⁴; an influence that remains pervasive today. Starting in the 1990s, English has gradually taken over, both in spoken and written communication, to the

¹ The opinions expressed by the author in this publication in no way commit his current employer, the European Court of Auditors.

² See <http://ec.europa.eu/languages/policy/linguistic-diversity/official-languages-eu_en.htm> for the EU's policy on this.

³ With the exception of the European Court of Justice, where French still has a special role (see, for example, <<http://www.publications.parliament.uk/pa/ld201011/ldselect/ldcom/128/12805.htm>>). The Court of Justice itself refers to this special status as being just “customary” <http://curia.europa.eu/jcms/jcms/Jo2_10739/?hlText=working+language>.

⁴ Hence the EU-English in-house term *acquis communautaire*, or simply *acquis*, which is used to describe virtually anything that was decided in the past.



extent that, currently, around 81% of documents received by the Commission's DG Translation are English originals, as compared with only 5% in French, 2% in German and 12% in "other languages"⁵; these figures have been stable for at least the last six years. In contrast, comparatively few of the people drafting these documents are native speakers of English⁶, and their English drafting skills vary considerably. This is one of the reasons why many EU texts can be quite difficult to understand⁷. Furthermore, although these authors are often entitled to submit their work for editing, this is generally only done on a voluntary basis; there are no systematic procedures for guaranteeing the quality of texts throughout the EU institutions and ensuring that errors are eliminated prior to publication. Unfortunately, it seems unlikely that certain language problems can be resolved without native-speaker intervention in the final drafting stages, but this cannot easily be achieved as things currently stand. The Commission has only 14 people in its English editing unit and not all work full-time in this field. In addition, the overall proportion of English native-speakers in the EU civil service is decreasing rapidly, with an almost 50% fall in the percentage of UK staff since 2004; a situation which is likely to deteriorate further. Finally, it should be noted that final versions of important publications are often adopted at a senior or political level, and significant changes cannot be made after adoption, even if major language errors are involved.

There has been a certain amount of speculation to suggest that the EU (or Europe in general) possesses its own variety or "dialect" of English, which is independent of the native versions⁸. However, descriptions of this "Euro-English", as it is sometimes labelled (Jenkins et al 2001), like those of lingua franca English in general⁹, seem to concentrate on spoken interaction, omitting the fact that the EU has a copious written output, both published and not. Of course, it seems intuitively evident that there are links between the spoken and written forms, and the former clearly influences the latter (and vice-versa), but there is also a fundamental functional difference. Spoken ELF involves communication in situations where at least one party is non-native, and it requires negotiating meaning, using any language resources

⁵ Recent e-mail from the Commission's DG Translation. Perhaps because of the ideological nature of the EU's multilingualism policy, it is surprisingly difficult to obtain reliable published information on this score.

⁶ At the European Court of Auditors, for example, only 67 out of 985 staff, fewer than 7%, are UK or Irish passport holders.

⁷ "Ordinary readers regard the EU texts as obscure and vague" (<<http://www.irtea.gr/?p=433&lang=en>>, also quoted at <http://www.academia.edu/20033450/Improvement_of_the_quality_of_the_EU_texts_their_readability_and_their_translations>). More colourfully, see also the Register of 22 January 2008: "We are talking about Brussels here, where everything reads like gibberish and gobbledegook, even when it's written in your native tongue to begin with" (http://www.theregister.co.uk/2008/01/22/eu_translation).

⁸ See, for example, Wright (2009:112) or Jenkins (2003:38). Sandra Mollin, on the other hand, prefers to talk of a "European function" of English (Mollin 2006: 54).

⁹ See, for example, Seidlhofer (2011) and the VOICE corpus, which is composed exclusively of oral interactions.



available (Seidlhofer 2011: 98), often in situations in which “total conformity with ENL¹⁰ conventions would [...] be dysfunctional (Seidlhofer 2011: 124)¹¹”. EU publications in English, on the contrary, need to follow these ENL conventions, precisely because the target audience for most published English-language EU documents consists almost exclusively of the (largely monolingual) inhabitants of the British Isles. It is in the nature of the EU’s multilingualism policy that speakers of other languages are expected to read their own language versions; this is why all important documents and the main EU websites are translated into all official languages, at a cost of around 330 million euros per year for the Commission alone. In short, whatever the merits of the arguments put forward by the proponents of ELF, they do not apply here because EU publications are not designed for an ELF readership.

Furthermore, the characteristics of the English that is meant to be used in EU publications are clearly set out in a number of publicly accessible official documents. The Commission’s *English Style-guide* (7) specifically takes “the standard usage of Britain and Ireland” as its model, as does, though less explicitly, the EU’s *Interinstitutional Styleguide*, which is mandatory for all EU publications. The models of linguistic correctness cited in the latter are works like Fowler’s *Modern English Usage*, *New Hart’s rules*, the *Concise Oxford Dictionary*, the *New Oxford Dictionary for Writers and Editors* etc.¹². The EU’s declared aim is, therefore, to produce documents that comply with the rules of Standard English, so it seems legitimate to qualify those cases where it fails to do so as errors.

Yonatan Zunger, Google’s chief architect, has commented that “EU documents read like some kind of Kafkaesque nightmare, where you’re being commanded to do things that don’t quite make any sense”¹³. This is, perhaps, overstated, particularly if we look at the relatively good quality of some of the language on the EU’s various institutional web sites, where considerable attention is paid to web editing. However, even these are far from error-free¹⁴, and many other publications, including a great deal of legislation, can be extremely difficult to understand.

The following Commission text exemplifies this sort of difficulty. It should be observed that this document is not an internal memo, but an official published document, like all the EU texts quoted in this paper. It is also quite an important one

¹⁰ English as a native language.

¹¹ This is confirmed in the anecdote recounted on Radio 4’s Today programme by Alex Barber, the Financial Times correspondent: <<http://euenglish.webs.com/interview2.mp3>>.

¹² <<http://publications.europa.eu/code/en/en-4110000.htm>>.

¹³ <<https://plus.google.com/+YonatanZunger/posts/VAkk988wcaA>>.

¹⁴ If, for example, we look at the Commission’s current home page, 10/5/2016, we find an article entitled (“College announces New Migration Partnership Framework: reinforced cooperation with third countries to better manage migration”). We may be forgiven for asking ourselves who or what the “college” is, which countries are “third” and what a “migration partnership framework” might be. If we click down to the article itself, it continues in the same vein: “The EU and its Member States should combine their respective instruments and tools to agree tailor-made partnerships with key third countries of origin and transit to better manage migration”.



because it is required reading for people wishing to do business with the European Union¹⁵.

***Please read these important instructions before filling in the documents!*¹⁶**

The PDF forms which you will find hereafter are intended to help you in communicating to⁽¹⁵⁾ the Commission departments⁽⁹⁾⁽²¹⁾, who would request you⁽¹²⁾ to forward your legal and, if necessary, banking co-ordinates so that those can be recorded in the "Legal Entity File (LEF)" and/or in the "Bank Account File (BAF)"⁽⁸⁾ managed both⁽¹⁾ by the Accounting Officer of the Commission. Under the terms of the regulatory provisions mentioned hereafter, the services⁽²⁰⁾ with which you intend to sign a financing convention⁽¹⁹⁾ or a contract, and/or which will allocate funds to you, cannot launch awarding procedures for a contract or a subvention, nor can they proceed to the authorization of⁽⁷⁾ payments in your favour, as long as your co-ordinates are not recorded and centrally validated⁽¹³⁾.

Identification of the entity

As regards "Legal Entities" three distinct categories of entities were defined⁽¹⁴⁾: "Public law bodies", "Private law bodies (private companies)" and "Individuals". The "Legal Entity" form to fill out is distinct for each one of these three categories: according to your legal statute⁽¹⁶⁾, you will thus have to complete and sign only one of the three versions of this form.

Notification of the banking co-ordinates

To communicate your banking co-ordinates⁽³⁾⁽¹⁷⁾ only one document is available⁽²⁾ ⁽⁴⁾which is valid whatever your legal statute is: a distinct document will have to be provided however⁽⁵⁾ for each single bank account which you will communicate⁽¹⁰⁾ to the Commission. As regards bank accounts⁽⁶⁾ it is very important to make sure that the denomination⁽¹⁸⁾ (title) and the address of the account that you will mention⁽¹¹⁾ on the form are exactly in conformity with what is recorded at your bank.

As it stands, this document is virtually incomprehensible to the uninitiated reader and therefore fails in its communicative purpose, which is to impart instructions for filling in two (actually quite self-explanatory) forms¹⁷. Much of it is redundant, and it can be improved considerably just by removing the superfluous information that surrounds - and indeed hides - the message¹⁸. Stripped of this, it can be rendered in a few lines, as follows:

¹⁵ Here, as elsewhere in the paper, the question of whether the document cited was originally drafted in English or another of the EU's 24 official languages (or some combination thereof) is unanswerable at this juncture. It is also not strictly relevant as EU law makes no distinction between originals and translations, with both having the same legal force. There is also no evidence to suggest that original English documents are in any way closer to the native standard than translations; indeed, the opposite may very well be the case.

¹⁶ The numbers in superscript refer to parts that are analysed below.

¹⁷ The forms can be found at http://ec.europa.eu/budget/library/contracts_grants/info_contracts/financial_id/fich_sign_ba_gb_en.pdf and http://ec.europa.eu/budget/library/contracts_grants/info_contracts/legal_entities/legEnt_indiv_en.pdf. The full text of the instructions is at: http://ec.europa.eu/budget/library/contracts_grants/info_contracts/instructions_fich_le_en.pdf.

¹⁸ We are told, for example that the forms are in pdf format. We are also informed that the Commission keeps a "Legal Entity File" and a "Bank Account File" and we are even told, quite



Please fill in the attached forms. The first will tell us who you are; there are three different versions, depending on whether you are a public body, a private company or an individual. Please only fill in the one that applies to you. The second is for your bank details; it is the same for everybody. We need this information so that we can pay you, so it needs to be accurate. If you wish to tell us about more than one bank account, please fill in one form per account.

As chance would have it, this document also presents us with a number of examples of some of the most common recurrent errors that characterise EU documents. These involve, in particular, sentence length, word order, punctuation, nominalisation, preposition use, verb use, and vocabulary.

2. SENTENCE LENGTH, WORD ORDER AND PUNCTUATION

Long sentences are generally held to be detrimental to readability, and various authoritative sources warn against them. For example, Martin Cutts (2013: 5) recommends an average of 15-20 words and the gov.uk¹⁹ website no more than 25. The Thompson Rivers University writing centre, on the other hand, says, more generically, that: “*Very few writers have the talent required to write a readable sentence of more than 20 or 30 words*”. In our sample document, however, only one sentence has fewer than 20 words, three are around 40 words and the remaining two are 61 and 64 words respectively. Moreover, these last two make up the introductory paragraph, which comes out with a Flesch reading-ease²⁰ score of 5.3 (= *very hard to read*). This is largely due to an average sentence length of 62.5 words²¹. Actually, in EU texts, particularly in legislation, sentences over 40 words are quite common, and some, like the following, may even go beyond 80:

Under the legislation in force, Member States had the option not to increase the value of payment entitlements or not to allocate payment entitlements in cases where farmers had sold or transferred their holding or premium rights or where a lease had

superfluously, their in-house acronyms (a very common feature, this). We are also told about the “accounting officer” and various internal services and departments which do not concern us, and are instructed as to what they may and may not do. Further down, we are warned about the “regulatory provisions” (= the relevant legislation), and these are actually quoted, quite redundantly and in considerable detail, on the second page.

¹⁹ <<https://insidegovuk.blog.gov.uk/2014/08/04/sentence-length-why-25-words-is-our-limit/>>.

²⁰ Calculated using the tool built into MS Word: <<https://support.office.com/en-us/article/Test-your-document-s-readability-0adc0e9a-b3fb-4bde-85f4-c9e88926c6aa>>. The Flesch score is based on sentence and word length and does not take errors into consideration.

²¹ It is also worth remembering the research by the American Press Association, in which it is claimed that readers’ understanding falls to 10% where average sentence length is over 43 words. See, for example, Anne Wylie at <<http://comprehension.prsa.org/?p=217>>. Unfortunately, although this piece of research is widely quoted, it seems to be untraceable (see:<https://www.tcanz.org.nz/Story?Action=View&Story_id=106>).



expired for all or a part of it before the farmers concerned were made aware of the decoupling and of the relevant conditions and thus the increase or the allocation would have led to a windfall profit for the farmer in question. (Special report 08/14: 19)

The errors found include the absence of the origin or movement certificates, the absence of the evidence of the direct transport, cases of certificates not signed or not stamped by the competent authorities of the beneficiary/ partner country or showing a stamp that does not correspond to the authentic stamp communicated to the Commission by the authorities of the latter, and certificates not matching with the supporting documents of the import. (Special report 02/14: 24)

In EU English texts, excessively long sentences often conspire with word order and comma errors to produce something that is extremely difficult to decipher. This is evident in our main sample text. Note, for example, the damage done by simply misplacing the adverb “both”(1) in the first sentence. It completely skews our approach to an already difficult sentence, and we end up having to read this part several times before we realise that there is actually nothing missing (“managed both by the Accounting Officer and who(m) else?”, one finds oneself asking)²². There is also an unfortunate word-order choice at the beginning of the third paragraph: “To communicate your banking co-ordinates only one document is available” (2). This would have been much clearer the other way round (*only one document is available to communicate your banking coordinates*) – assuming, for the moment, that we know what “banking coordinates” are.

Perhaps the most common word-order error in EU documents involves placing an adverbial phrase between the subject and its verb or between the verb and its object²³. This is often done without commas, to the further detriment of readability:

Both evaluations use, together with econometric estimates, CGE simulations. (Special report 02/2014: 21)

These minimum price levels in many cases are higher than the world price level for the same products. (Special report 09/2014: 5)

Our sample text also serves to illustrate some of the most common punctuation errors found in EU texts. For example, in the third paragraph, there should be a comma after “banking coordinates”(3); secondly, the following relative clause is probably

²² Adverbs that normally come before the main verb (often, sometimes, only etc.) are frequently placed afterwards in EU-English.

²³ “In a normal (declarative) sentence, the subject of a sentence comes directly in front of the verb. The direct object (when there is one) comes directly after it. [...] Nothing usually comes between the subject and the verb, or between the verb and the object”, <<http://linguapress.com/grammar/word-order.htm>>.



meant to be non-defining, so there should be a comma before “which”²⁴ (4). There should also be commas round “however”(5) and a comma after “accounts”²⁵ (6).

Misplaced commas²⁶ cause particular confusion in a context of excessively long sentences and frequent word order errors, and may severely affect readability, as in the following passage, which only had one comma in the published version; between “period” and “had”:

The Member States which had decided to integrate the amounts available for coupled support into the SPS on the basis of the support received by farmers in the reference period, had to retrieve for each scheme and for each farmer the individual reference data. As pointed out above Member States had significant discretion in establishing the criteria for the distribution of the amounts of coupled support that were available for integration into the SPS but the criteria had to be objective and non-discriminatory and had to take in particular account of the support which farmers had directly or indirectly received in one or more years of the reference period. (Special report 08/2014)

In particular, it is difficult to appreciate why there should be a comma between the subject and the verb. One possibility is that the author might actually have intended the relative clause to be non-defining (the comma after “*period*” implies that perhaps there should have been one after “Member States”). However, the fact that EU authors both habitually place commas after long subjects and confuse defining and non-defining relative clauses means that the reader is forced to draw his own conclusions as to the intended meaning. Further errors include the failure to place commas around the adverbial phrases “*in particular*” and “*for each scheme and for each farmer*”, and after the introductory phrase “*as pointed out above*”. Finally, the sentence would have been easier to read if the author had followed the rule that requires the use of a comma to separate independent clauses when they are joined by *and*, *but*, etc. Corrected, the same passage might read as follows:

The Member States, which had decided to integrate the amounts available for coupled support into the SPS on the basis of the support received by farmers in the reference period, had to retrieve, for each scheme and for each farmer, the individual reference data. As pointed out above, Member States had significant discretion in establishing the criteria for the distribution of the amounts of coupled support that were available for integration into the SPS, but the criteria had to be objective and non-

²⁴In this connection, I would also note the characteristic confusion between the relative pronouns who and which (here: “departments who” but “services which”, where both mean departments).

²⁵Numerous other comma errors can be found further down in the text

²⁶Though not really a matter of punctuation, as such, I would also mention the curious EU rule requiring the use of the “decimal comma” (rather than the decimal point) in some documents but not in others (see <<http://publications.europa.eu/code/en/en-360500.htm>>).



discriminatory, and had to take, in particular, account of the support which farmers had directly or indirectly received in one or more years of the reference period.

3. NOMINAL STYLE

A common source of redundancy and lack of clarity is the practice of substituting verbs with often cumbersome nominal phrases (European Commission, *How to write clearly*: 8). These constructions are not actually errors in any conventional sense, but they lengthen the text, are often unclear and are more difficult for the reader to process (Coleman and Blumenfeld 1963), especially in the context of a long and tortuous sentence. In our main sample text, for example, “authorise” becomes “proceed to the authorization of (7)” (five words for the price of one, and the reader is left wondering whether the “proceed to” structure might not contain some fundamental element of meaning that escapes him; it does not). Similarly, it is very common for the *preposition + gerund* structure to be replaced by the more complex and unwieldy *preposition + definite article + gerund + of*, as in “border inspection post means any inspection post [...] for the carrying out of veterinary checks”²⁷ (rather than “for carrying out veterinary checks”, or even “for veterinary checks”).

Here are some further examples of these nominal constructions from some EU reports:

In Italy the calculation of payment entitlements was not performed by paying agencies themselves (= the paying agencies did not calculate the payment entitlements themselves). (Special report 08/2014: 25)

Several OLAF investigations have revealed the lack of administrative capacity of certain beneficiary countries to understand the complexity of the GSP cumulation rules (=investigations have revealed that certain beneficiary countries lacked the administrative capacity to understand GSP cumulation rules, which are very complex). (Special report 02/2014: 31)

This means that the general rules for the calculation of the values of the payment entitlements and the payment of SPS aid are set out in EU Regulations (= rules for calculating payment entitlement values and paying out SPS aid). (Special report 08/2014: 11)

The authorities of the partner country in which the irregularities have been discovered must accept them and declare the invalidity of the unduly issued certificates. (= declare the unduly issued certificates to be invalid). (Special report 02/2014: 32)

²⁷ Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries: Article 2(2)(g).



Only originals can fully provide assurance of the authenticity of these certificates (that these certificates are authentic). (Special report 02/2014: 24)

4. PREPOSITIONS

This tendency towards redundancy spills over into preposition use. In EU-English, when a preposition governs two or more nouns, it is almost universal practice to repeat the preposition as many times as there are nouns, whereas, in Standard English, we would only do so if absolutely necessary for the sake of clarity. Our text provides us with the example: *“those can be recorded in the Legal Entity File and/or in the Bank Account File (8)*, (rather than “they can be recorded in the legal entity file and/or bank account file”). Another common example is the standard EU locution: *“Regulation of the European Parliament and of the Council”* (why not Regulation of the Council and European Parliament, or, better still, “Council and European Parliament Regulation”?²⁸)

More seriously, prepositions are also often used wrongly. Above all, “of” is overgeneralised and often used as an all-purpose preposition in the place of “from”, “by”, “in”, “on”, “at”, etc., giving us *“communication of the Commission”*, instead of *“communication (letter?) from the Commission”* *“previous reports of the Court”* instead of *“previous reports by the Court”*, *“EC reports of the projects”* instead of *“Commission reports on the projects”*, *“increase of the value”* instead of *“increase in the value”*. Moreover, phrases with “of” are often used in the place of possessive “-s” constructions or noun-noun compounds (*“the reports of the Court”* = the Court’s reports, *“communications of the Commission”* = Commission communications). This type of error can often lead to ambiguity: in the phrase *“the system of control of the Commission”*, we cannot be sure if the Commission is controlling or being controlled (In EU usage “control” usually means “check” or “audit”).

Here are a few examples of EU-English preposition use; the first is from our sample document:

The PDF forms which you will find hereafter are intended to help you in communicating to the Commission departments (9) (= help you communicate with) Even without promotion action there is an increase of the wine consumption” (= in wine consumption) (Special report 09/2014: 33);

The SIA concerning EPAs of 2007 does not address points dealt with in other SIAs, (= 2007 EPAs) (Special report 02/2014: 21);

The Court found an investment project of a bottling line of a cooperative granted in 2009 which is currently in liquidation (= for a bottling line) (Special report 09/2014: 19);

The Dutch authorities had a similar approach as the authorities in Spain (= similar approach to). (Special report 08/2014: 17)

²⁸ European Council and Parliament would sound better, but, confusingly, the European Council and the Council are not the same body, even though they share a website (<<http://www.consilium.europa.eu/en/european-council/>>).



5. VERBS

There also appears to be a degree of uncertainty amongst EU authors as to certain aspects of the English verb system. In our sample document, for example, there are two cases where the simple present is replaced by a structure with “will” (“for each single bank account which you will communicate (10)” (you communicate) and “the address of the account that you will mention (11)” (you mention), perhaps because the author wanted to emphasise the fact that the applicant would read the instructions first and fill in the form afterwards (logically in the future in relation to when he read it). Similarly, there is an unusual “would + infinitive” structure in “the Commission departments, who would request (12) you to forward your legal and, if necessary, banking co-ordinates”. This, again presumably, is used in the mistaken belief that it expresses the idea of a polite request. There is also a case where a simple present is used instead of a present perfect (*as long as [if] your co-ordinates are not recorded and centrally validated* (13)) and another where a (passive) past tense is used instead of an (active) simple present or present perfect (*three distinct categories of entities were defined* (14)). Finally, there is also one example of a very common error, in which a gerund is used in the place of an infinitive: (“in communicating to (15)”, rather than “(to) communicate with”)²⁹.

Beyond this particular document, one of the most common verb errors in EU texts regards a tendency to slide forward towards the present in past narrative and reporting, with an overgeneralization of some present tenses (specifically the present simple and the present perfect) at the expense of past tenses (past simple and past perfect), and also of the past tense to the detriment of the past perfect.

Examples of these can be found in the following: “In Austria the Court found an investment project of a bottling line for a cooperative granted in 2009 which is currently in liquidation” (= was) (Special report 09/2014:); “Between 2009 and 2012, 2,4 million euro³⁰ of EU funding has been spent to subsidise promotion actions for champagne producers” (=was) (Special report 09/2014: 9); “The Court verified whether such a system has been set up in GSP countries and found that this was not the case” (=had been set up) (Special report 08/2014:26); “It found that, except for one investigation, OLAF was successful in

²⁹The opposite is also common, with the infinitive replacing the gerund, as in: “there is a clear preference to grant (=for granting) promotion aid to beneficiaries with already strong international presence and export experience” (Special report 09/2014: 22), and “In the case of big companies, already well-established in those markets, they rather have the effect to protect or consolidate (= of protecting or consolidating) existing market shares (Special report 02/2014: 33).” In this connection, I would also note the rather clumsy gerund that is often used as a substitute for defining relative clauses, as in the following example: “Italy had not applied the windfall profit clause, so that farmers having (= who had) substantially reduced the number of hectares farmed between the reference period and the year when the support was integrated into the SPS could concentrate the support on very small areas” (Special report 08/14: 19).

³⁰In examples with numbers, I have kept the original EU conventions for numbers and amounts, hence the “decimal comma” and the zero plural for euros.



demonstrating that the imported goods were not eligible for preferential tariff measures” (=had been) (Special report 08/2014: 29).

Sometimes, these are merely formal errors, but they can cause the reader problems in identifying when, and in what order, things actually happened. Here, for example, it is not at all clear that the two verbs underlined actually refer to the same time.

While, for most schemes integrated, Italy had chosen the average annual coupled payments of the years from 2005 to 2008, Greece, Spain and the Netherlands choose shorter periods of between 2 and 3 years [...]. (Special report 08/2014: 18).

In the following example, an event which is clearly signposted as having happened earlier than another event in the past perfect (“before”) nevertheless uses a tense that implies that it happened afterwards:

The timeliness of an SIA is very important in order to ensure that it is useful for negotiators. However, in one case, the PTA with Chile was already signed before the SIA had been finalised. (Special report 02/2014: 21)

There are two other habitual verb errors that I wish to mention in this connection. The first is the tendency to use certain transitive verbs intransitively. These include “allow”, “permit” and “enable”, giving us sentences like:

The parties offer on the Frankfurt-New York route to make arrival and departure slot pairs available at Frankfurt airport and/or New York JFK/Newark Liberty airports — at the competitor’s choice — to allow to operate up to seven additional frequencies weekly³¹.

No further details were available from the various sources to enable to identify whether any of the accidents stemmed from, for example, failures or shortcomings in the gas installation or appliances, or if e.g. the lack of maintenance caused them³².

Secondly, there is a widespread tendency to use the auxiliary “shall” instead of “must”, “should” “will” or the simple present. This is, of course, partly because much of the EU’s written output consists of legislation and, despite the best efforts of the plain English campaign, the archaic and often incorrect use of “shall” persists in many jurisdictions (Asprey 2010: 149-150, 205-208). However, whereas in the English-speaking world, there is a tendency towards replacing this “shall” with forms found in what writers like Michele Asprey (1992: 79) and Helen Xanthaki (2014: 9) call “the language of the general community”, EU-English errs in the other direction, transferring the legalistic use of “shall” to the general sphere. Therefore, we have:

It shall be noted that the Commission takes into account the Court’s observations during its own audits (=should?). (Special report 04/2015: 43)

³¹ <

³² <



By 31 December 2018, the Commission has to present the initial report on the implementation of monitoring and evaluation, including the first results of the performance of the CAP for 2014-2020. A second report including an assessment of the performance of the CAP shall be presented by 31 December 2021 (=will?). (Special report 01/2016: 14)

As regards the Spanish sample, the subregions are not one of the dimensions of the coverage. In fact, the FADN data shall be representative of the FADN division (region), and the sample size is determined to ensure this level of coverage (=must?). (Special report 01/2016: 62)

Mutual funds shall provide assistance to producers seeking to insure themselves against market fluctuations. Community support for the setting-up of mutual funds may be granted in the form of temporary and digressive aid to cover the administrative costs of the funds (simple present, provide?). (Special report 09/2014: 6)

It should be stressed that these examples do not come from legislation or contracts, but from normal running text of a general nature, drafted "for the attention of an interested but non-expert reader" (Court of Auditors' report writing guideline: 1).

6. WORDS

The EU institutions employ a large number of words and expressions in ways that are unfamiliar to outsiders. This is not unusual within a large organisation. However, EU authors are often unaware that these words and expressions may act as a barrier to understanding when employed outside the limited EU environment. In the text quoted above, for example, where the intended readers are asked for their legal statute (16), it is unlikely that they would appreciate that the Commission just wishes to know whether they are sole traders or their business has some other structure. Furthermore, they could be forgiven for looking for their banking coordinates (17) (bank details) on google maps or writing "dollars", "sterling" or "euros" where they are asked for the denomination (18) of their accounts (in fact it is the account name that is required). I also have serious doubts as to whether they would know that a financing convention (19) is just an agreement and that the services (20) are the same thing as the Commission departments (21) mentioned a few lines previously.

There are well over 100 of these commonly misused words and expressions³³. A few are words that do not exist in English at all, like planification (planning) and, more commonly, comitology (a now defunct committee-based decision procedure), whereas others are rare or specialised and potentially lie outside the vocabulary of the intended readership. I am thinking here of the ubiquitous informatics (IT) or the words used in much of the legislation to denote the various beasts of the field (porcine animals, ovine

³³ A list of these words, with referenced examples, can be found at <<http://euenglish.webs.com/A%20brief%20list%20of%20misused%20English%20terminology%20in%20EUDRAFT.doc>>. For the sake of brevity, I have only provided examples here for words that are not evidenced in this publication.



animals, *caprine animals*, *bovine animals* and *asinine animals* (more commonly known in Standard English as pigs, sheep, goats, cattle and donkeys respectively). Confusingly, these expressions are used alongside the Standard English terms, sometimes in the same document, creating the impression that something different and highly specialised may be intended; it is not.

In a further group, normal English words suffer one sort of grammatical change or another, so *precise* becomes a verb, meaning to specify and *expertise* becomes a countable noun meaning an appraisal by an expert, or even a verb, meaning to perform such an appraisal³⁴. Actually, there is widespread confusion between countable and uncountable nouns, so we also have *aids* (financial assistance), *verifications* (checks), *actions* (projects), *competences* (powers), *orientations* (guidelines) and *travels*³⁵ (trips).

There are also a number of words that are used with more or less the correct meaning but outside their usual semantic fields or collocations. This is the case where member states "*homogenize*" (standardize) their working methods³⁶ or administration is said to be "*heavy*" (there is too much red tape). These errors can sometimes produce a rather comic effect, like when consumers are *incited* (encouraged) to use electric cars, or paper forms are *suppressed* (eliminated). Further words in this category are *transmit* and *retransmit* (send and forward respectively), *operator* or *economic operator* (company) and, ubiquitously, *note* (memo or letter). Similarly, *enterprise* has become the default word for a business or company³⁷, *dossier* replaces file (or even just means "topic") and *externalise* and *modify* often take pride of place over "outsource" and "change" or "amend".

Inevitably, perhaps, there are many words that derive more or less directly from foreign legal and administrative systems, so we have the *college* (the Commission, Court of Auditors etc., when meeting as a body), an *instance*³⁸ or *administration* (a public authority), *prescription* (time-bar), *hierarchical superior* (line manager, boss), *service* (department), *agent* (employee, staff member), *legislator* (legislature), *name* (surname, or, confusingly, first name), *visa* (approval), *jury* (selection board), *detached* (seconded), *transpose* (incorporate into law), *third country* (non-member country), *attestation* (certificate), *cabinet* (private office) and, more comically, *financial envelope*, which is not a bribe but a budget.

³⁴ In the majority of cases, self-provision could no longer be regarded as an effective alternative to the buying-in of expertised telecommunication services, <<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1457866035281&uri=CELEX:31999M1396>>: IV, 15.

³⁵ However, several stakeholders are in favour of the development of a standardised parental consent form for *travels* in and out of the Schengen area (Frontex) or internationally (ICAO), <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52013DC0567:EN:NOT>>.

³⁶ This new approach commits Member States to work together towards shared goals without seeking to homogenize their inherited policy regimes and institutional arrangements, <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007SC0906:EN:NOT>>.

³⁷ Hence the originally awkward, but now universally accepted acronym "SME" for small business.

³⁸ Nevertheless, a certain percentage of non-SOLVIT cases that cannot be signposted to another *instance* is probably unavoidable, <<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52007SC0585>>.



Ironically, a number of words associated with drafting are also misused, so documents are *elaborated*, *formulated*, *established* or even *defined*, rather than drafted, written or drawn up³⁹.

Clearly, there is a direct link between many of these terms and francophone origins of EU law and administration, but this is often not as straightforward as it might seem; often, cognates of the EU term can be found in more than one EU language, so the actual origin is less clear. Indeed, in some cases, there is a perfect storm, whereby cognate terms exist in a number of languages, thus bolstering the sensation among in-house users that it is indeed the correct meaning. The best example of this phenomenon is *foresee*, which, in EU-English, is most commonly used to signify “envisage”, “plan” or “provide (for)”, as its cognate does in French, German, Italian and some other languages. Another example is *control*, which is most often used, as in a number of Romance and Germanic languages, to mean “check” rather than “manage, influence or direct” as it does in Standard English. Similarly, *name* can be found with both its French (= surname) and Italian (= first name) meanings.

7. CONCLUSIONS

There is a widespread perception that EU publications are difficult to understand. Although this is not universally true, many EU documents indeed present a certain difficulty for the untrained reader. The root cause of this problem lies in the organisation’s multilingual nature and the mismatch between an official policy which dictates equality for all languages and the actual status quo in which nearly all documents are drafted in a preferred language (English), generally by non-native speakers⁴⁰. These documents are not subject to systematic revision or editing, meaning that errors may be carried over to the published versions. These errors particularly concern the fields of vocabulary, punctuation, word order, and preposition and verb use. Against this background, readability is often further affected by other aspects, such as nominalisation and excessive sentence length.

Although some of the issues raised here may have implications for ELF research, this paper is not concerned with Lingua Franca English, as the EU’s declared policy is to follow the rules of Standard English, and EU publications are intended mainly for a native speaker readership.

³⁹ *During the reporting phase the Agency shall establish a final inspection report containing details of the conduct of the inspection, <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32006R0736:EN:NOT>>. The main tasks and activities of the IMI Joint Undertaking shall be [...] to define and carry out the annual implementation plan referred to in Article 18 via calls for project, <[http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010TA1216\(03\):EN:NOT](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010TA1216(03):EN:NOT)>.*

⁴⁰ See also Wright (2009: 94ff), Cogo & Jenkins (2010: 272).



WORKS CITED

Asprey M., 1992, "Shall Must Go", *Scribes Journal of Legal Writing* 3.79, pp 79-83.

Asprey M., 2010, *Plain Language for Lawyers* (fourth edition), The Federation Press, Sydney.

BBA, 2014, "British Influence in the EU", <<https://www.bba.org.uk/download-file/?f=eyJ1cmwiOiJodHRwczpCL1wvd3d3LmJiYS5vcmcudWtcL3dwLWNvbnRlbnRcL3VwbG9hZHNcLzlwMTRcLzA3XC9icml0aXNoLWluZmx1ZW5jZS12Mi5wZGYiLCJ1c2VyljpmYWxzZXQ0>> (19/09/2016)

Cogo A. and J. Jenkins, 2010, "English as a Lingua Franca in Europe", *European Journal of Language Policy* 2.2, pp. 271-294.

Coleman E.B. and P.J. Blumenfeld, 1963, "Cloze Scores of Nominalization and Their Grammatical Transformations Using Active Verbs", *Psychology Reports* 13, pp 651-654.

Cutts M., 2013, *Oxford Guide to Plain English* (fourth edition), Oxford University Press, Oxford.

European Commission, Directorate-General for Translation, 2015, *How to Write clearly*, <http://bookshop.europa.eu/en/how-to-write-clearly-pbHC0215257/downloads/HC-02-15-257-EN->N/HC0215257ENN_002.pdf?FileName=HC0215257ENN_002.pdf&SKU=HC0215257ENN_PDF&CatalogueNumber=HC-02-15-257-EN-N> (19/09/2016).

European Commission, Directorate-General for Translation, 2016, *English Style Guide*, <http://ec.europa.eu/translation/english/guidelines/documents/styleguide_english_dgt_en.pdf> (19/09/2016).

European Court of Auditors, *Report Writing Guideline*, <[http://www.eca.europa.eu/Lists/ECADocuments/GUIDELINE WRITING 102013/GUIDELINE WRITING 1 02013 EN.pdf](http://www.eca.europa.eu/Lists/ECADocuments/GUIDELINE%20WRITING%20102013/GUIDELINE%20WRITING%20102013%20EN.pdf)> (19/09/2016).

European Court of Auditors, *Special Report 02/2014*, "Are Preferential Trade Arrangements Appropriately Managed?" <http://www.eca.europa.eu/Lists/ECADocuments/SR14_02/QJAB14002ENC.pdf> (19/09/2016).

European Court of Auditors, *Special Report 08/2014*, "Has the Commission Effectively Managed the Integration of Coupled Support into the Single Payment Scheme?" <[http://www.eca.europa.eu/Lists/ECADocuments/SR14_08/SR14_08 EN.pdf](http://www.eca.europa.eu/Lists/ECADocuments/SR14_08/SR14_08_EN.pdf)> (19/09/2016).

European Court of Auditors, *Special Report 09/201*, "Is the EU Investment and Promotion Support to the Wine Sector Well Managed and Are Its Results on the Competitiveness of EU Wines Demonstrated?" <http://www.eca.europa.eu/Lists/ECADocuments/SR14_09/QJAB14005ENC.pdf> (19/09/2016).

European Court of Auditors, *Special Report 04/2015*, "Technical Assistance: What Contribution Has It Made to Agriculture and Rural Development?" <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52015SA0004>> (19/09/2016).

European Court of Auditors, *Special Report 01/2016*, "Is the Commission's System for Performance Measurement in Relation to Farmers' Incomes Well Designed and Based on Sound Data?" <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016SA0001>> (19/09/2016).



House of Commons Foreign Affairs Committee, 2013, *The UK Staff Presence in the EU institutions*, The Stationery Office, London.

Jenkins J., 2003, *World Englishes*, Routledge, London; New York.

Jenkins J., M. Modiano and B. Seidlhofer, 2001, "Euro-English", *English Today* 17.4, pp. 13-19

Mollin S., 2006, "English as a Lingua Franca: A New Variety in the New Expanding Circle?", *Nordic Journal of English studies* 5.2, pp. 42-57

Publications Office of the European Union, *The Interinstitutional Styleguide*, <<http://publications.europa.eu/code/en/en-000500.htm>> (19/09/2016).

Robinson W., 2014, "Making EU Legislation Clearer", *European Journal of Law Reform* 3, pp. 610-623

Seidlhofer B., 2011, *Understanding English as a Lingua Franca*, Oxford University Press, Oxford

Thomson Rivers Writing Centre, 2014, *How Long Is Too Long, Creating Interest With Sentence Length*, <<http://writing.inside.tru.ca/2014/05/16/how-long-is-too-long-creating-interest-with-sentence-length/>> (19/09/2016).

Wylie A., 2014, *How to Make Your Copy More Readable: Make Sentences Shorter*, <<http://comprehension.prsa.org/?p=217>> (19/09/2016).

Wright S., 2007, "English in the European Parliament: MEPs and Their Language Repertoires", *Sociolinguistic*, 21. 1, pp. 151–165.

Wright S., 2009, "The Elephant in the Room", *European Journal of Language Policy* 1.2, pp. 93-120.

Xanthaki H., 2014, *Drafting Legislation: Art and Technology of Rules for Regulation*, Hart, Oxford and Portland.

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