

Translation of International Inter-institutional Agreements

Formal agreements facilitate a range of collaborative activities between UWM and partner institutions around the world. Because these agreements are official documents that detail and delineate terms for both parties, it is important that there is mutual understanding of all terms.

In some cases, the partner institution will request or require a translation of the agreement into a language other than English. While there are often good reasons for translating an agreement, a translation may pose significant challenges. Agreement development, review and approval is necessarily more complex when translations are involved and, even after the document is finalized, poor translation or lack of terminological equivalence—especially in relation to legal concepts—may increase confusion or even institutional risk.

The simplest solution is to avoid translated inter-institutional agreements, exclusively employing English-language-only documents. This approach is generally preferred by US colleges and universities and coincides with the recommendations of UWM's Office of Legal Affairs and Center for International Education. Nevertheless, it is recognized that institutional partners often request translated versions of inter-institutional agreements and, in some cases, translations are required.

Given this concern, the UWM Colleges and Schools that sponsor agreements are advised to consider the following options (listed in descending order from least to most complex/risky):

1. Agreement only in an English-language version.
2. Agreement in two versions: in English and in the language of the partner institution, with "control" language.
 - a. Both agreements include: "A translated version of this agreement exists; however, in the event of a conflict with the translation, the original English version of the agreement shall control."
 - b. Not all partners will accept "control" language, but in light of the additional risk incurred without it, it is highly recommended that you at least try to include this provision.
3. Agreement in two versions: in English and in the language of the partner institution, without "control" language.
 - a. Both agreements have the same legal weight, thus increasing the chance that any disagreement would need to be resolved via legal means.

If the agreement must include a translated version, the sponsoring College or School:

1. Will have sole responsibility of confirming the accuracy of translated documents, with multiple consequences:
 - a. The College or School will be responsible for paying any costs associated with a translating service.
 - b. If any liability arises from a problematic translation, the College or School will pay any resulting costs out of its budget.