
**ETHICAL CHALLENGES OF TRANSLATING
AND INTERPRETING CONFIDENTIAL LEGAL
AND POLITICAL TEXTS**

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INTRODUCTION

The translation of confidential legal and political texts is a highly specialized field of professional activity that intersects with linguistic mediation, legal responsibility, and ethical accountability. Such translation tasks require not only linguistic proficiency and terminological accuracy, but also a deep awareness of the ethical implications arising from the content, context, and consequences of the translation process. In this field, translators/interpreters (hereinafter T/Is) are entrusted with confidential information, whose disclosure or misinterpretation may result in legal liability, political conflict, or breaches of international security protocols. Accordingly, the T/I are no longer neutral linguistic intermediaries, but an active ethical agents whose decisions may affect legal outcomes or institutional reputations¹.

In the context of intensified globalization, transnational legal cooperation, and geopolitical instability, the demand for accurate and ethical translation of confidential documents has increased significantly. The proliferation of international treaties, legal proceedings, asylum applications, extradition procedures, and diplomatic correspondence across multiple legal systems and cultural systems has made T/I essential to global governance and legal transparency. At the same time, political tensions, armed conflicts, and disinformation campaigns have created new levels of ethical complexity, particularly when T/Is are involved conveying politically charged narratives or restricted government documentation². Moreover, the rapid digitalization of legal and political communication has given rise to new ethical challenges related to

¹ Pym, A. On translator ethics: Principles for mediation between cultures. *Target*. 2012. Vol. 28(1). P. 170–177. <https://doi.org/10.1075/target.28.1.09kos>

² Koskinen, K. Institutional translation and ethics: A multidisciplinary approach. *Handbook of Translation Studies*. Y. Gambier & L. van Doorslaer (Eds.). Vol. 10. John Benjamins, 2020. P. 230–248.

data privacy, cybersecurity, and the use of machine translation technologies in high-stakes situations documentation³. The integration of artificial intelligence (hereinafter AI) into translation / interpreting workflows has further blurred the boundaries between human and automated activities, raising questions about delegating ethical responsibility, protecting confidential data, and verifying the accuracy of machine-generated results⁴.

The aim of this study is to identify recurring ethical dilemmas faced by translators/interpreters when performing confidential legal and political translation, and to structure the decision-making processes by applying corpus-based analysis and case-based analysis with scenario-based simulations.

To achieve this aim, the article addresses the following tasks: 1) to define the theoretical foundations of ethics in legal and political translation/interpreting, with particular attention to confidentiality, impartiality, accuracy, and professional responsibility; 2) to compile and analyse a corpus of authentic or representative legal and political texts containing ethically sensitive translation and interpreting challenges; 3) to identify and classify the most frequent ethical dilemmas encountered by translators and interpreters in confidential legal and political contexts; 4) to conduct case-based analysis of selected translation/interpreting situations in order to examine the factors influencing ethical decision-making in confidential settings; 5) to design and implement scenario-based simulations modelling real-life ethical conflicts in legal and political translation/interpreting practice; 6) to systematize translators' and interpreters' decision-making strategies when addressing conflicts between confidentiality, accuracy, neutrality, and institutional expectations; 7) to develop an ethical decision-making framework for translators and interpreters working with confidential legal and political materials.

The novelty of the study lies in the integration of theoretical and methodological achievements from the field of translation studies, legal ethics, political discourse analysis, and information security. But, unlike traditional translation studies focused on linguistic accuracy, the interdisciplinary approach of this study helps highlight the T/I's ethical behaviour and examine their decisions in the context of professional norms, situational pressures, and personal values. This innovative study reframes ethical decision-making in confidential legal and political contexts as a contextual, dynamic process;

³ Andrade Preciado, M., Sánchez Ramírez, H. J., & Priego Sánchez, Á. B. Ethical Challenges in AI-Assisted Translation. *EthAlca*, 2025. Vol. 4. 151 p. <https://doi.org/10.56294/ai2025151>

⁴ Abdulrahman, A., Richards, D., Bilgin, A. A., & Formosa, P. Developing ethical principle awareness and reasoning in a cybersecurity context: Enhancing user understanding using Ripple Down Rules. *Computers & Security*. 2025. <https://doi.org/10.1016/j.cose.2025.104761>

employs scenario-based simulations and case-coding to identify patterns of ethical reasoning without disclosing sensitive data; and proposes a unified framework that links translation ethics, legal liability, and privacy management to support professional training and policy development.

The empirical material includes a corpus of 24 legal and political documents that was compiled for analysis through purposive, criterion-based sampling and systematic documentary review. Only publicly available materials that met predefined standards of relevance, authenticity, and genre specificity were included in the sample. Texts meeting the selection criteria had to pertain to legal and political communication and originate from verified open-access institutional sources such as governmental legal repositories, official websites of international bodies, declassified diplomatic records, or publicly released political papers. Furthermore, each document contained ethically sensitive material for translation, including confidentiality clauses and diplomatic or security-related language.

The methodology of the study is complex. This study employs a qualitative research design that combines corpus-based analysis, case-based analysis with scenario-based simulations, while exploring ethical decision-making patterns in high-stakes legal and political translation/interpreting contexts. The study implemented a two-stage empirical design.

In stage 1, termed the Case-Based Analytical Component, the study examines a set of real-life ethical cases from professional practice. Three publicly documented issues were selected based on their relevance, accessibility, and the availability of verifiable data. Each was explored through a qualitative case-study analysis using an ethical-linguistic coding matrix that assessed confidentiality management, mitigation and euphemisation strategies, and the underlying decision-making rationale. The aim of this component is to reveal the nature of real-life ethical issues and to assess how T/Is simultaneously function as linguistic and moral agents in high-pressure settings.

Stage 2 employed a Scenario-Based Simulation to explore how T/Is handle hypothetical but plausible high-stakes ethical dilemmas. Conceptually, the simulation drew on bounded rationality, ethical-dilemma design, risk-aware reasoning, and context-based translation ethics. Three simulation scenarios were developed from recurring ethical dilemmas mentioned in professional codes, publicly available case records, and academic research. Each scenario described a realistic high-stakes setting (e.g., diplomatic negotiations, court proceedings) and various key factors, such as confidentiality, legal liability, institutional hierarchy, and consequence severity. Each scenario varied key contextual parameters, such as secrecy level, legal responsibility, institutional hierarchy, and potential consequences.

Twelve participants specialising in legal or political translation/interpreting (with at least three years of experience) took part voluntarily. T/Is were reminded of their ethical responsibilities, ethical and professional standards regarding neutrality, fidelity, and confidentiality, as well as possible institutional expectations or implicit forms of pressure. They received anonymised scenarios, chose a strategy, justified their choice, identified risks, and indicated which principle they prioritised (e.g., accuracy, confidentiality, public interest); then they recorded their decisions and reasoning, and completed brief follow-up interviews.

The data were then examined through inductive thematic coding to identify common patterns in ethical reasoning and strategic decision-making. The comparative-interpretive analysis followed a set of predefined criteria: (1) the way confidential information was managed; (2) the degree of lexical, syntactic, and pragmatic accuracy, including any deviations from fidelity due to ethical or security concerns; (3) the potential legal or perceptual impact of particular T/I's choices; and (4) the T/I's positioning in institutional hierarchies, ranging from neutral intermediaries to ethical gatekeepers or institutional subordinates.

These analytical methods made it possible to examine the interplay between ethical norms, linguistic choices, and institutional power dynamics in confidential translation and interpreting environments. On this basis, the study proposed an Ethical Decision-Making Model. Comprising three interrelated components (a contextual frame, clearly articulated professional roles, and ethical decision priorities), the model functioned as a controlled, scenario-driven simulation of ethically sensitive translational contexts without relying on actual confidential data.

1. Theoretical foundations of ethics in legal and political translation

Research on ethical issues in translating/interpreting confidential legal and political texts demands an integrated view of three key dimensions: (1) the T/I's ethical principles and agency, (2) the legal and political institutional nature of confidentiality, and (3) the cognitive and contextual factors, including AI-mediated settings, that shape ethical decisions. This triadic relationship suggests a rethinking of the ethics of not only as a normative code, but also as a context-dependent practice that requires critical understanding and the capacity to operate within ethically complex situations shaped by institutional limitations.

(1) Current research views translation / interpreting ethics as a context-dependent decision-making process influenced by institutional, psychological,

technological, and socio-political factors⁵. Ethical responsibilities, such as accuracy, neutrality, confidentiality, and harm avoidance, become especially demanding in confidential legal and political settings, where sensitive content, power imbalances, and potential political or legal consequences heighten the stakes.

Professional codes issued by international associations, such as the International Federation of Translators (FIT, 1994), the American Translators Association (ATA, 2011), and Ukrainian Association of Translators and Interpreters (UATI), highlight values of truthfulness, neutrality, and professional secrecy. However, research shows that formal ethical codes do not reliably T/I's behaviour in high-risk situations characterized by uncertainty, conflicting obligations, or ambiguous moral choices. From this perspective, T/Is are viewed as engaged epistemic agents rather than neutral conduits, whose choices can influence legal reasoning and diplomatic outcomes.

Both Sánchez⁶ and Al-Shaye⁷ study ethics in translation, but from different perspectives. Sánchez examines ethics in translator training, emphasizing the importance of teaching ethical thinking and practical problem-solving skills during training. Al-Shaye, in turn, examines how ethics operates in real-life translation practice in Saudi Arabia and shows that general ethical codes are not always culturally sensitive or helpful in dealing with sensitive content. Together, these studies demonstrate that effective translation ethics requires both robust training and an understanding of cultural context.

(2) Confidentiality is a central ethical norm in both legal and political translation / interpreting, yet its observance is highly context-dependent and determined by institutional constraints⁸. In legal sphere, violations threaten justice and order, while in political work they can reveal confidential information⁹. Understanding these risks also requires insight into how legal

⁵ Baker, M. Ethics in the translation and interpreting curriculum. 2013. URL: <https://www.monabaker.org/2015/11/15/ethics-in-the-translation-and-interpreting-curriculum/>

Kalina, S. Ethical challenges in different interpreting settings. *MonTI Monografías De Traducción E Interpretación* (Special Issue 2). 2015. P. 63–86. <https://doi.org/10.6035/MonTI.2015.ne2.2>

⁶ Sánchez, M. T. Ethics in Translation and Interpreting Training: Cultivating Integrity from Classroom to Professional Practice. *Journal of Education, Culture and Society*. 2025. Vol. 16(1). P. 755–767. <https://doi.org/10.15503/jecs2025.2.755.767>

⁷ AlShaye, S. A. Revisiting professional translation ethics in Saudi Arabia: A cultural perspective. *Humanities and Social Sciences Communications*. 2025. Vol. 12, P. 509–521. <https://doi.org/10.1057/s41599-025-04830-y>

⁸ Šarčević, S. Challenges to the legal translator. In *The Oxford Handbook of Translation Studies*. 2012. <https://doi.org/10.1093/oxfordhb/9780199572120.013.0014>

⁹ Boiko, Ya. V. Ethics and etiquette of diplomatic discourse as a translation studies problem. *Scholarly Notes of V. I. Vernadsky Taurida National University. Series: Philology. Journalism*. 2025. Vol. 36(75) (1). P. 290–296. <https://doi.org/10.32782/2710-4656/2025.1.1/47>

meaning and interpretation function within legal systems. As Solum¹⁰ explains, the fundamental concepts of legal theory and jurisprudence shape the principles governing legal reasoning and, consequently, the ethical expectations placed on practitioners. T/Is working for government agencies often operate under non-disclosure agreements (NDAs) and secrecy laws, which can override personal ethics or restrict transparency¹¹.

McDonough and Mackin¹² describe how to create a secure translation environment, emphasising the protection of confidential data through secure networks, controlled access, and proper file-handling practices. They highlight common digital risks and emphasize that robust security measures are essential in legal, governmental, and corporate translation settings.

Leung¹³ shows that achieving accuracy in translating multilingual legislation means balancing source texts, parallel versions, legal intent and the broader multilingual legal system. Accuracy is not mere linguistic matching but a context-bound process shaped by institutional norms and legal hierarchy. The study highlights the T/I's mediating role between linguistic form and legal intent and argues for stronger institutional and ethical frameworks beyond individual moral judgment.

Researchers note that the lack of universal confidentiality rules leads to inconsistent guarantees, blurred responsibilities, and a heavy burden on individual T/Is, especially in countries without licensing or legal protections¹⁴.

(3) The cognitive aspect of translation/interpreting plays a key role in understanding ethical behaviour under stress. Research¹⁵ shows that stress, emotional control, and limited information processing capacity strongly influence decisions in sensitive situations. Gile's¹⁶ «Effort Models» view interpreting as

¹⁰ Solum, L. B. *Legal Theory Lexicon: Legal Theory, Jurisprudence, and the Philosophy of Law*. 2011. URL: <http://journaloflaw.us/5%20The%20Post/1-1/JoL1-2.%20TP1-1,%20Solum.pdf>

¹¹ Kalina, S. Ethical challenges in different interpreting settings. *MonTI Monografías De Traducción E Interpretación* (Special Issue 2). 2015. P. 63–86. <https://doi.org/10.6035/MonTI.2015.ne2.2>

Horváth, I. Interpreter behaviour: A psychological approach. 2012. URL: https://knowledge-centre-translation-interpretation.ec.europa.eu/sites/default/files/ildiko_horvath_interpreter_behaviour_a_psychological_approach_0.pdf

¹² McDonough, J., & Mackin, R. (2006). Establishing a secure translation environment. *Journal of Information Security*. 2006. Vol. 3(4). P. 210–218.

¹³ Leung, J. H. C. The object of fidelity in translating multilingual legislation. *Semiotica*. 2014. Vol. 201. P. 269–287. <https://doi.org/10.1515/sem-2014-0026>

¹⁴ Boiko, Ya. V. Ethics and etiquette of diplomatic discourse as a translation studies problem. *Scholarly Notes of V. I. Vernadsky Taurida National University. Series: Philology. Journalism*. 2025. Vol. 36(75) (1). P. 290–296. <https://doi.org/10.32782/2710-4656/2025.1.1/47>

¹⁵ Horváth, I. *Interpreter behaviour: A psychological approach*. 2012. URL: https://knowledge-centre-translation-interpretation.ec.europa.eu/sites/default/files/ildiko_horvath_interpreter_behaviour_a_psychological_approach_0.pdf

¹⁶ Gile, D. *Basic concepts and models for interpreter and translator training* (Rev. ed.). John Benjamins, 2009.

a cognitively constrained task, where attention and memory compete under pressure. This helps explain why even experienced T/Is can violate ethical norms when overwhelmed or intimidated. Thus, ethical misconduct is often rooted in cognitive limitations rather than moral deficiencies, highlighting the need for high-level simulation training.

Current research¹⁷ shows that digitalisation and AI are reshaping ethical expectations in this field. AI-assisted tools now permeate legal and political translation/interpreting, boosting speed and consistency but also creating risks related to data privacy, algorithmic opacity, and bias in automated results. Using cloud platforms, speech-recognition systems, or machine-learning databases to process confidential material raises concerns about data storage, unauthorised access, reuse of training models, and digital traceability¹⁸.

In this context, the study by Andrade Preciado et al.¹⁹ presents a focused analysis of ethical challenges in AI-assisted translation, particularly issues of authorship, responsibility, transparency and bias in machine translation. They show that AI tools can diminish translator visibility, promote technological dependence and reproduce cultural or gender stereotypes. The authors emphasise the need for critical, well-supervised use of AI and greater awareness of its ethical risks. They conclude that translation training and professional codes should incorporate AI-ethics and be adapted to cultural and linguistic contexts.

Ruohonen et al.²⁰ also show that scenario-based analysis effectively reveals ethical risks in technology-mediated settings, highlighting the value of contextual, model-based research tools. These methods help detect threats such as unauthorised access, model reuse and digital traceability²¹. Puiu²² defines ethical dilemmas as value conflicts with no clear solutions, arguing that they

¹⁷ Blanca, J. M., & Torres-Simón, I. (2021). Ethical challenges of AI-assisted translation: Balancing human oversight and automation. *Translation & Interpreting Studies*. 2021. Vol. 16(2). P. 224–243. <https://doi.org/10.56294/ai2025151>

Veltmeijer, E., & Gerritsen, C. (2025). Legal and ethical implications of AI-based crowd analysis: The AI Act and beyond. *AI & Ethic*. 2025. Vol. 5. P. 3173–3183. <https://doi.org/10.1007/s43681-024-00644-x>

¹⁸ Abdulrahman, A., Richards, D., Bilgin, A. A., & Formosa, P. Developing ethical principle awareness and reasoning in a cybersecurity context: Enhancing user understanding using Ripple Down Rules. *Computers & Security*. 2025. <https://doi.org/10.1016/j.cose.2025.104761>

¹⁹ Andrade Preciado, M., Sánchez Ramírez, H. J., & Priego Sánchez, Á. B. Ethical Challenges in AI-Assisted Translation. *EthAlca*. 2025. Vol. 4. 151 p. <https://doi.org/10.56294/ai2025151>

²⁰ Ruohonen, J., Koskinen, J., Klausen, S. H., & Gerdes, A. *A scenario analysis of ethical issues in dark patterns and their research*. 2025. URL: <https://arxiv.org/pdf/2503.01828>

²¹ Abdulrahman, A., Richards, D., Bilgin, A. A., & Formosa, P. *Developing ethical principle awareness and reasoning in a cybersecurity context: Enhancing user understanding using Ripple Down Rules*. *Computers & Security*. 2025. <https://doi.org/10.1016/j.cose.2025.104761>

²² Puiu, S. Ethical dilemmas. *Encyclopedia of Sustainable Management*. Springer, 2023. P. 1517–1522. https://doi.org/10.1007/978-3-031-25984-5_570

require considered judgement rather than technical solutions and are shaped by organisational culture and stakeholder expectations. Her work in sustainable management emphasizes the need for responsible, reflective decision-making in complex professional environments.

Despite significant progress, research remains lacking empirical, scenario-based studies examining how T/Is prioritise ethical norms while simultaneously confronting confidentiality demands, legal risks, institutional pressure, and AI-mediated workflows. This study addresses this gap by using supervised ethical simulations to track decision-making patterns, risk assessments, and prioritisation strategies in settings that closely resemble real-world confidential communication.

2. Ethical dilemmas arising in translation / interpreting of confidential legal and political texts

The translation/interpreting of confidential legal and political texts presents *a complex ethical dilemma*, in which the T/I's decisions may have far-reaching consequences beyond linguistics. These dilemmas often arise from the intersection of conflicting priorities such as fidelity to the source text, the imperative to maintain confidentiality, institutional pressures, and technological failures.

The ethical dilemmas can be summarised as follows.

Accuracy vs. Confidentiality. One of the most common ethical tensions involves a T/I's attempt to reconcile the normative commitment to semantic and pragmatic accuracy with the need to protect sensitive content. T/Is may face institutional or political pressure to deliberately alter or obscure certain elements of the source text to mitigate potential diplomatic fallout or to comply with national security protocols. Such acts of “protective editing” or strategic omissions raise questions about the limits of professional autonomy and the T/I's ethical obligations toward truthfulness and transparency. For instance, omitting politically charged terminology or softening incriminating statements in a diplomatic communiqué may be motivated by a desire to preserve bilateral relations, yet in doing so, they simultaneously compromise the integrity of the original message.

Conflict of Interest. This dilemma may arise when T/Is operate in a setting where they are professionally or personally aligned with more than one stakeholder. This is especially noticeable in legal arbitration, multilateral diplomacy, or corporate-state negotiations, where a T/I may be simultaneously employed or previously associated with conflicting parties. Such dual loyalties can undermine the T/I's impartiality and lead to ethical compromises, whether in the form of selective translation/interpreting, accent manipulation, or implicit

advocacy. T/Is' credibility depends not only on their linguistic competence but also on maintaining professional independence.

Information Leakage and Security Risks. Confidential legal and political translation / interpreting are inherently vulnerable to information leaks, caused by both human error and technological vulnerabilities. T/Is working without a secure digital infrastructure or using cloud-based machine translation tools may inadvertently disclose confidential information. Even in secure settings, human factors, such as negligence, misunderstanding of data processing protocols, or social engineering attacks, can lead to unintentional leakage. The ethical responsibility of the T/I extends beyond translation/interpreting accuracy to include data management – an awareness of and adherence to cybersecurity regulations, encryption standards, and secure communication channels.

Linguistic Manipulation. Ethical dilemmas also arise when T/Is resort to linguistic and stylistic manipulation to reinterpret the meaning of a text for ideological, persuasive, or protective purposes. This includes such subtle techniques as softening tone, altering register, or reframing key concepts to align the translation/interpreting with the norms of the receiving culture or the client's agenda. While any translation/interpreting involves a certain degree of interpretive mediation, the deliberate distortion or rhetorical reshaping of politically or legally confidential texts can border on ideological manipulation or even disinformation. These practices challenge the ethical ideal of the T/I as a neutral intermediary and require critical reflection on the fine line between legitimate localization and intentional distortion.

Ethical Implications of AI in Confidential Translation / Interpreting. The growing integration of AI and machine translation (hereinafter MT) systems into legal and political translation/interpreting processes is creating a new level of ethical complexity. Alongside conventional human-centred workflows, T/Is now depend on a wide range of AI-driven technologies, including cloud-based MT services (e.g., Google Translate, DeepL, Microsoft Translator), enterprise and on-premise secure MT systems (e.g., DeepL Enterprise, SYSTRAN Neural Server, PROMT Secure, Tilde MT), AI-supported CAT tools (e.g., Trados Studio, memoQ, Phrase), automated speech recognition and remote translation platforms (e.g., Zoom AI Companion, Otter.ai, KUDO AI), as well as generative AI solutions based on large language models (e.g., ChatGPT, Claude, Gemini). Although these technologies offer obvious benefits, such as higher processing speed, terminological uniformity, and multimodal capabilities, their deployment in contexts involving confidential content entails significant risks, including cloud storage vulnerabilities, the reuse of confidential data for model training, opaque and potentially biased algorithms, possible third-party access, and a weakening of human-centred ethical judgement and accountability.

T/Is must consider whether the use of such technologies complies with required confidentiality standards and whether the results preserve pragmatic subtleties critical in legal contexts. Delegating ethical judgment to non-intelligent systems remains problematic, particularly when errors in automatic translation can lead to legal misinterpretations. Thus, the role of the T/I is evolving from a passive user of computational tools to an ethical overseer aware of AI.

3. Case-based analysis and scenario-based simulations of ethical decision-making in confidential translation settings

To explore how ethical principles are applied in practice, we propose a two-stage approach based on case-based analysis and scenario-based simulations.

Stage 1 – The Case-Based Analytical Component – draws on three documented cases, identified through the analysis of a corpus of 24 legal and political texts. Each case presents a typical ethical dilemma of legal and political translation / interpreting: (1) handling politically confidential documents; (2) detecting legally significant inconsistencies in an international treaty; and (3) interpreting provocative statements during live interviews. These cases illustrate different forms of professional risk associated with confidentiality, legal consequences, and socially sensitive language. All cases were examined by using an ethical-linguistic coding matrix, which systematically evaluates how T/Is managed key factors, such as: *confidentiality management*, including the protection, concealment, or inadvertent disclosure of confidential information; *balanced accuracy under pressure*, assessing how linguistic accuracy was maintained or strategically adjusted under pressure; *mitigation and euphemisation strategies*, reflecting the intentional softening, paraphrasing, or partial omission of potentially harmful content; and *decision-making logic*, highlighting both explicit and implicit justifications for professional judgments in context.

The matrix reveals recurring ethical patterns and tensions that shape T/Is' moral reasoning in high-stakes contexts, demonstrating the dual linguistic and ethical nature of their professional role.

Stage 2 – Simulation of Ethical Dilemmas – presents hypothetical but plausible high-stakes ethical dilemmas to examine T/Is' behaviour in ethically sensitive contexts, particularly in legal and political spheres, where confidentiality, accuracy, and professional responsibility are paramount. These dilemmas not only test T/Is' linguistic competence but also challenge their moral principles, professional autonomy, and institutional loyalty. The value of such simulations lies in their ability to reveal hidden tensions between the theoretical foundations of translation / interpreting ethics, such as codes of conduct and

norms of neutrality, and the unpredictability of real-life communicative environment.

Simulation exercises are used to model T/Is' responses to moral conflicts related to conflicting obligations, such as maintaining confidentiality or disclosing information about wrongdoing, remaining faithful to the source text, or adjusting it for cultural sensitivity. Each scenario is accompanied by a decision-making framework that helps prioritise norms and evaluate T/Is' choices, such as: *Confidentiality* → *Legal Obligations* → *Professional Ethics* → *Personal Values*. This algorithm allows for systematic ethical reflection and assists in identifying key norms and responsibilities.

Scenario 1: Access to Politically Confidential Information. A translator working on a classified report for a government agency comes across confidential information that points to *systemic corruption*, including possible financial fraud, abuse of authority, or misappropriation of public resources. The materials are contained in official correspondence and internal audit reports. Although the document is not intended for publication, its contents clearly implicate high-ranking officials and point to ongoing harm to public welfare and democratic integrity.

This situation creates a profound ethical conflict, placing the translator at the intersection of two competing imperatives. On the one hand, professional confidentiality requires translators to adhere to strict non-disclosure agreements and the confidentiality rules embedded in their institutional contracts. Any violation of these obligations may entail legal consequences, such as civil penalties or disqualification, and will likely undermine trust in the translator's role as a neutral linguist. On the other hand, issues of civic duty and moral agency arise when the translator detects potentially unlawful or unethical content in a text. Such awareness can trigger a strong sense of responsibility or a perception of broader public-interest obligations that may warrant disclosure. From a civic ethics perspective, translators may feel compelled to safeguard democratic institutions and prevent societal harm. Demonstrating moral courage in such a context involves taking principled action despite possible risks to one's professional standing or personal security. Viewed through a whistleblowing lens, translators may also see themselves as insiders positioned to reveal institutional misconduct, especially when internal oversight systems seem ineffective, compromised, or entirely lacking.

Contextual factors, especially differing levels of whistleblower protection across jurisdictions, play a crucial role in shaping translators' ethical decision-making when working with sensitive legal or political material. In some countries, laws may provide safeguards only under narrowly defined conditions, or may not provide them at all, particularly if disclosure of information violates

national security. This legal uncertainty can have a chilling effect, preventing T/Is from acting even in cases of serious violations.

Institutional culture also shapes decisions, as organizations that suppress dissent or punish criticism make T/Is view official reporting channels as ineffective or unsafe. In such an environment, trust in internal accountability mechanisms may be undermined, leading to T/Is' isolation and uncertainty about how to proceed.

Personal risk further complicates decisions, as translators who consider disclosure may face consequences such as disqualification, reputational harm, legal action, or personal threats. These risks are heightened when the translator works without anonymity or institutional support, as is often the case with freelancers or contractors.

These dilemmas are exacerbated by the often-ambiguous provisions of professional codes of ethics. Organizations such as the International Federation of Translators (FIT, 1994) and International Association of Conference Interpreters (AIIC, 2018) emphasize confidentiality as a foundational principle of the profession. However, these codes offer little guidance for situations where confidentiality conflicts with legal or ethical duties, such as exposing criminal behaviour or systemic abuse. The lack of clear exceptions for such cases leaves practitioners in a moral grey zone, forcing them to act professionally without clear institutional support.

In such an ethically sensitive context, T/Is face difficult choices, each shaped by conflicting values, potential consequences, and institutional constraints (Fig. 1).

One possible solution is *strict adherence to confidentiality*, whereby the T/I chooses to complete the work without disclosing the problematic content. This approach prioritises contractual obligations and professional neutrality, reflecting the belief that T/Is must remain impartial and bound by the legal frameworks of their work, regardless of the content they encounter. Alternatively, a T/I may resort to *discreet internal escalation*. In this scenario, the T/I raises concerns within the organization through designated internal channels, such as a manager, ethics officer, or ombudsman. This approach aims to align the T/I's moral interests with institutional ethics by resolving the issue through official procedures. However, its success depends on transparency, accountability, and a willingness to act within the organization.

In cases where internal escalation appears ineffective, unsafe, or hostile, T/Is resort to *external disclosure or whistleblowing*. This involves informing external factors, such as regulators, journalists, or human rights organizations. While this route potentially represents a moral or civic duty to disclose wrongdoing, it carries the greatest professional and legal risks, including breach

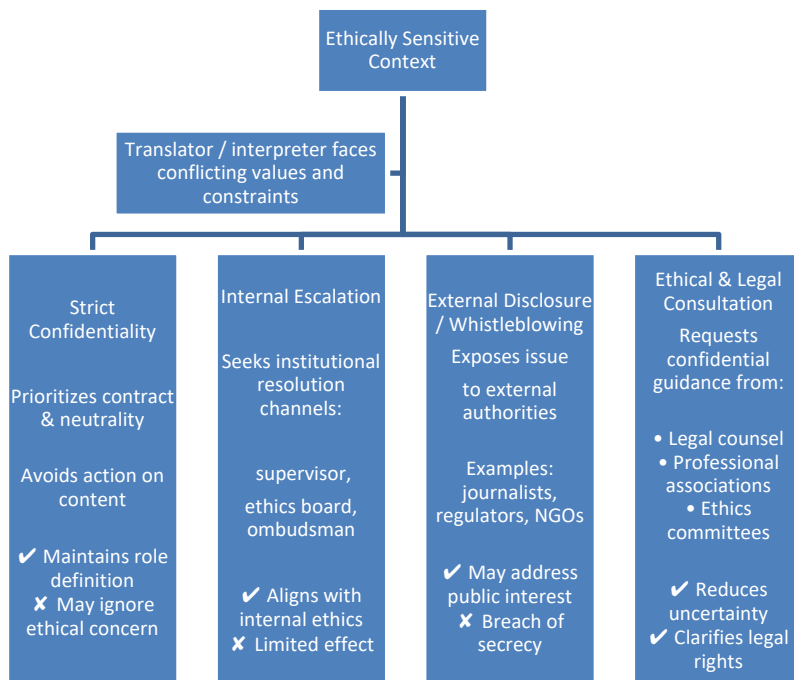


Fig. 1. Ethical decision-making in handling confidential information

of confidentiality, reputational damage, and potential liability under secrecy. However, it may be considered necessary if the T/I believes the harm from inaction outweighs the personal costs.

A more cautious and measured approach may include *ethical consultation and legal advice*. Before taking any action, a T/I may seek confidential advice from a lawyer, professional associations (e.g., AIIC (2018) or FIT (1994)), or academic and institutional ethics boards. This approach allows the T/I assess personal and professional risk, clarify legal aspects, and determine whether protected channels for disclosure exist. It reflects a commitment to careful ethical reasoning and well-informed decision-making, particularly when T/I face ambiguous situations lacking clear guidance.

This scenario demonstrates the limits of a rigid, deontological (i.e., rule-following) approach in ethical translation/interpreting practice. Instead, a context-sensitive, pluralistic model is required that considers:

- the **severity and scope of harm** potentially caused by inaction;
- the **effectiveness and integrity of available reporting mechanisms**;

- the *relative weight of competing* responsibilities: client loyalty, legal compliance, broader social responsibility;
- *long-term implications* for the translation agency, professional trust, and institutional reform.

This scenario illustrates the complex ethical challenges involved in handling confidential information, where T/Is must balance professional confidentiality against the moral or legal duty to report wrongdoing. Making such decisions requires a careful assessment of ethical obligations, institutional frameworks, and personal risk, often under expert guidance.

This case vividly demonstrates the ethical ambiguity inherent in high-stakes translation/interpreting contexts, where linguistic expertise intersects with institutional secrecy and moral responsibility. It highlights the urgent need for:

- clearer ethical guidelines and exceptions for T/Is handling confidential content;
- confidential mechanisms for ethical consultation and reporting;
- a broader view of the T/I's role – not only as a linguistic intermediary, but also, when necessary, as a guardian of integrity in complex communicative and institutional settings.

Scenario 2: Legal Inaccuracy in a Contract. While translating a large international contract between two multinational companies, the translator notices a clause that appears *legally inconsistent or ambiguous*. This inconsistency, though subtle, can significantly affect the understanding of contractual obligations, potentially leading to contract invalidity or future litigation. Although the translators have no formal legal training, their linguistic and contextual awareness, sharpened by legal translation experience, allows them to spot the potential error.

This situation places the translator in a difficult ethical and professional position. On the one hand, the translator's primary responsibility is to ensure a faithful, accurate, and stylistically correct rendering of the source text. On the other hand, ignoring potentially critical flaws even from a legal perspective, can compromise the integrity of the translation and lead to real consequences for the contracting parties.

The *ethical and professional dilemma* in this scenario centres on the translator's responsibility, the tension between professional risk and due diligence, and compliance with legal and ethical standards. Translators are generally cautioned against providing legal advice, as they are not qualified lawyers. However, when a linguistic analysis reveals a legal contradiction, such as a mistranslation of legal terminology, a contradictory clause, or a structural incoherence, the translator must decide whether to inform the client or simply maintain linguistic equivalence.

This raises a *second dilemma*: professional risk versus due diligence. Notifying a problem may be interpreted as a violation of professional boundaries, particularly if the client expects due diligence to be conducted after the translation. At the same time, ignoring a potential problem may be viewed as a failure to exercise due diligence, especially if it results in financial or reputational damage. Furthermore, legal and ethical norms come into play. Codes of conduct adopted by organizations such as the International Federation of Translators (FIT, 1994) or national translators' associations emphasize values such as accuracy, integrity, and transparency. Some guidelines note that translators working in specialised fields, including law or medicine, need adequate subject knowledge to act responsibly when the accuracy of their work has really legal, financial, or human consequences.

Translators' possible responses to this ethical and professional dilemma vary in formality and level of involvement, but all aim to balance professional boundaries with responsible conduct (Fig. 2).

One approach is a *discreet request for clarification*, where the translator comments on the problematic section and makes a neutral request to the client, inviting a qualified lawyer to review the clause for accuracy. This method respects the translator's limited legal authority while simultaneously ensuring the potential problem is identified. Another option is *collaboration with legal experts*, particularly if the translator is part of a larger team that includes lawyers or bilingual legal consultants. In this case, the translator can raise the issue internally, allowing the lawyer to assess and address the discrepancy appropriately. A third option is *to document the comments* as a translator's note, which neutrally addresses the identified linguistic discrepancy without delving

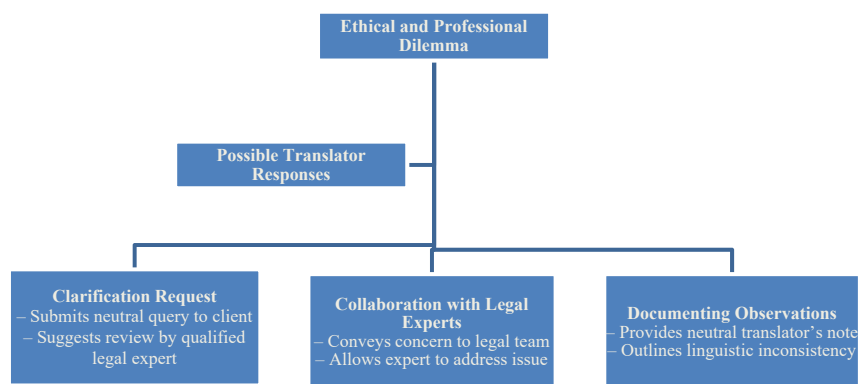


Fig. 2. Ethical decision-making in translators' responses to legal inaccuracies in contracts

into legal interpretation. This ensures transparency, demonstrates due diligence, and helps protect the translator's professional liability, while remaining faithful to the source text and the client's expectations

Possible *ethical approaches* to decision-making include, first, identifying the ethical issue by recognizing the existence of a moral dilemma or value conflict in the translation task. The translators then evaluate the interests, rights, and potential impact on all stakeholders, including the client, the public, authorities, and themselves. They then consult relevant professional codes of ethics and legal requirements to guide the process. The translator then weighs available options by analysing their benefits, risks, and compliance with ethical principles. After careful consideration, a reasoned decision is made, considering professional responsibilities, legal constraints, and personal values. Finally, the decision-making process and its results are documented and analysed to ensure accountability and support future ethical practice.

Assessing this scenario requires careful analysis of the translator's role limitations, balancing client expectations with the need for legal accuracy, and the implementation of risk mitigation strategies to maintain professional integrity and avoid potential liabilities.

This scenario illustrates the evolving role of translators in specialised fields, where professional boundaries intersect with ethical responsibility. It emphasizes the need for:

- clear protocols for handling domain-specific ambiguities;
- training in domain knowledge without assuming specialized responsibilities;
- mechanisms for interaction between translators and subject-matter experts.

In sensitive situations such as international law or trade, translators must balance linguistic accuracy with functional precision, maintaining a balance between professional competence and the ethical obligation to prevent foreseeable harm.

Scenario 3: Politically Provocative Discourse. While interpreting a live political interview, the interpreter encounters statements that are provocative or outright offensive and specifically directed against a specific ethnic group. Such statements are not only provocative in content but also have the potential to inflame social tensions, exacerbate interethnic conflicts, and provoke civil unrest.

The core of the dilemma lies in balancing two often conflicting imperatives: *the duty* to provide an accurate, word-for-word interpreting that faithfully conveys the speaker's original intent, and *the ethical responsibility* to mitigate harm by avoiding language that could incite hatred, discrimination,

or violence. Literal accuracy in interpreting is fundamental to the professional interpreter’s role, ensuring transparency, allowing audiences to hear unbiased political discourse, and adhering to the principles of impartiality and accuracy. This obligation promotes informed public debate and accountability.

However, the uncontrolled repetition of offensive or provocative language may contravene broadcasting regulations, many of which strictly limit hate speech and inappropriate content. Failure to moderate such language can result in regulatory sanctions against the broadcaster, weaken public trust, and increase the risk of social instability. Moreover, from an ethical perspective, the interpreter assumes moral responsibility, recognizing that language is performative and can reinforce stereotypes, deepen divisions, and provoke harm. Faced with these conflicting demands, interpreters may consider several response strategies (Fig. 3).

One approach involves *softening or neutralizing offensive terms*, replacing them with less provocative expressions while preserving the essence of the message. This strategy prioritises social responsibility but risks accusations of censorship or misrepresentation of the speaker’s intent.

Another approach involves using *disclaimers or interpretive cues* that alert the audience to the offensive nature of the statements without repeating them verbatim, thereby ensuring transparency and adhering to ethical standards. The real-life nature of interpreting significantly increases the workload, limiting opportunities for reflection or consultation and requiring immediate, informed decisions.

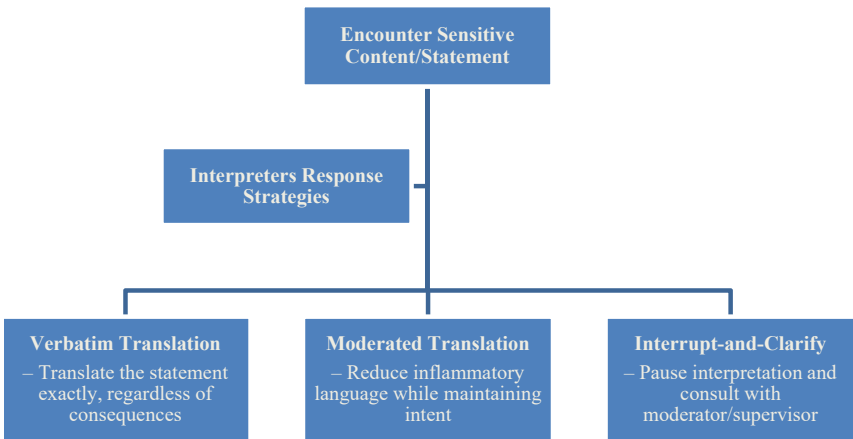


Fig. 3. Ethical decision-making in interpreting politically provocative discourse

Interpreters must also consider the broader political and cultural context, including social tensions, the sensitivity of the target ethnic group and the potential consequences of acting or not acting.

This scenario highlights the need for comprehensive ethical training and clear professional guidelines for interpreters working in politically sensitive environments, particularly when handling hate speech or inflammatory content. With institutional support such as ethical consultation before and after broadcasts, interpreters can better navigate these dilemmas, underscoring their evolving role as ethical actors who must balance accuracy, responsibility, and social impact in highly charged environments.

The decision priorities matrix categorizes priority levels according to key ethical considerations: *Public Interest* is assigned a high priority, *Legal Compliance* is also considered a high priority, *Professional Standards* is given a medium priority, and *Confidentiality* is given a medium or low priority depending on the context (Table 1).

4. Framework for ethical decision-making in confidential translation settings

To facilitate ethical decision-making in these diverse scenarios, the following multi-level Ethical decision-making model is proposed (Fig. 4).

This model, which consists of three interrelated components (a contextual frame, clearly articulated professional roles, and ethical decision priorities) offers flexible yet structured decision-making framework through flowcharts and matrices that help T/Is visualise norms, prioritise consequences and assess risks associated with each choice. These simulations also encourage reflective practice and serve as valuable teaching tools for developing ethical awareness and critical thinking in T/Is training.

Table 1

Decision priorities matrix

Ethical Decision Priorities	Priority Level		
	High	Medium	Low
Public Interest and Harm Minimization	✓	–	–
Legal Compliance (domestic and international)	✓	–	–
Professional Standards (as defined by translation codes)	–	✓	–
Confidentiality and Non-Disclosure Obligations	–	✓	✓

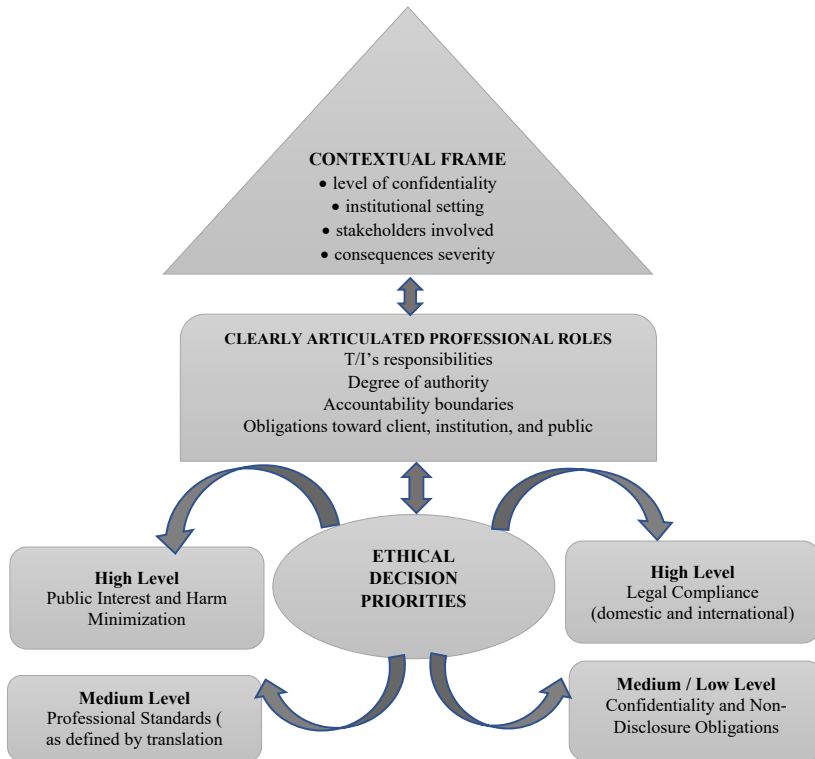


Fig. 4. Ethical decision-making model

T/Is' reactions to ethically sensitive situations can be understood by integrating empirical data, findings from expert interviews, and documented professional experience, which reveals three main behavioural patterns in how they handle moral dilemmas.

The **Conformist Pattern** assumes that T/Is strictly follow client instructions, even if these conflict with professional ethical standards. This behaviour is frequently motivated by job insecurity, institutional hierarchy, or a lack of formal ethical training. For example, a T/I working for a government agency may be tasked with omitting or soften information about human rights abuses in official reports and comply to avoid jeopardising their position or professional relationships. Empirical research shows that T/Is in hierarchical or politically sensitive environments often feel pressured to subordinate ethical considerations to institutional demands.

In contrast, the **Activist Pattern** is exemplified by T/Is who take a principled stance by refusing to work with ethically questionable content or reporting violations. For example, a translator assigned to render a classified document may uncover evidence of corruption or human rights violations. Following this model, the translator might anonymously report the findings to regulatory authorities or abandon the translation entirely. While ethically commendable, such actions can carry significant professional risks, including loss of contracts, reputational damage, or legal repercussions.

The **Hybrid Pattern** reflects a more nuanced approach, where T/Is make compromises to minimise potentially dangerous content while maintaining core ethical principles. This pragmatic approach considers the complexity of real contexts and the conflicting demands on T/Is. For example, when interpreting a politically provocative speech, an interpreter might tone down the provocative language to avoid escalating tensions while still maintaining the original message. This approach is common among interpreters working in the diplomatic or media fields, where balancing accuracy with social responsibility is critical.

Each behavioural pattern is critically assessed against well-established ethical standards developed by professional organizations such as International Association of Conference Interpreters (AIIC, 2018), American Translators Association (ATA, 2011), International Federation of Translators (FIT, 1994), and *Standards of Conduct for the International Civil Service*, United Nations (UN Code, 2004). These standards guide ethical assessment, focusing on key parameters including respect for confidentiality, maintaining semantic integrity and accuracy, demonstrating professional responsibility and accountability, awareness of legal obligations, and consideration of the potential impact on stakeholders and public trust.

SWOT analysis (i.e. a strategic planning tool used to identify Strengths, Weaknesses, Opportunities, and Threats related to a project, organization, or situation), combined with dilemma-analysis matrices (Table 2), provides a structured framework for understanding T/Is' current position and planning strategically in professional, research, or educational contexts.

For example, if corruption is discovered, a SWOT analysis might weigh the benefits of reporting violations (public interest, ethical integrity) against the risks (legal consequences, personal safety). Similarly, a dilemma-analysis matrix can compare options such as reporting the issue, maintaining strict confidentiality, or seeking legal advice, describing the consequences of each option and the ethical standards being upheld or violated.

A comparison of translators' codes of ethics in the United States, the European Union, and Ukraine reveals both convergences and divergences arising from

Table 2

SWOT analysis and dilemma-analysis matrices

Scenario	Possible Actions	Consequences	Ethical Norms
Discovery of corruption	Report to authorities	Legal repercussions; risk to translator	Confidentiality vs. Public Interest
Legal inaccuracies in contracts	Correct silently, inform client, or suggest legal review	Risk of overstepping role; client litigation risk	Responsibility to client vs. Legal clarity
Political provocation	Tone down expression, verbatim translation, or consult supervisor	Avoid political fallout; risk of distortion or censorship	Fidelity vs. Social Responsibility

differences in legal systems, professional traditions, and cultural expectations. In the United States, ethical standards are primarily defined by professional associations such as the American Translators Association (ATA, 2011), which emphasise confidentiality, accuracy, and impartiality, with a particular focus on client relationships and legal compliance. The European Union, guided by organisations such as the International Federation of Translators (FIT, 1994) and national organisations, integrates broader principles including social responsibility and respect for human rights, reflecting the EU's multilingual and multicultural environment. Emerging Code of Professional Ethics (2023) in Ukrainian Association of Translators and Interpreters (UATI) combines international standards with specific national considerations related to political sensitivity and ongoing institutional reforms, often emphasising the T/I's role in ensuring transparency and promoting national legal integrity.

An empirical analysis of discrepancies in the translation/interpreting of legal and political texts in these regions reveals the critical consequences of ethical violations. The most striking examples are diplomatic misunderstandings arising from mistranslation of political statements, and judicial errors caused by inaccurate legal translation, which led to international disputes and miscarriages of justice. For example, mistranslation in bilateral treaties caused diplomatic tensions, while errors by court interpreters resulted in wrongful convictions or appeals, highlighting the urgent need for strict adherence to ethical standards.

Moreover, the status of ethics training in translator education varies significantly in the United States, the EU, and Ukraine. In the United States and many European countries, formalised ethics curricula are increasingly integrated into T/I training programmes, often complemented by requirements for continuing professional development and certification. Meanwhile, the Ukrainian translator education system is still developing its ethical training components, with limited structured programmes and varying institutional

focus. This gap in ethical training directly affects T/Is' competence in resolving complex ethical dilemmas, highlighting the urgent need for comprehensive ethics education to strengthen professional standards worldwide.

CONCLUSIONS

This study provides an in-depth analysis of the ethical challenges that arise in legal and political translation/interpreting, emphasising that professional practice in these fields is shaped not only by linguistic competence but also by legal constraints, institutional demands, and moral responsibility.

The interdisciplinary character of ethical challenges in confidential translational settings becomes evident through the convergence of linguistics that ensures precision and accuracy; law that sets standards for confidentiality and accountability; ethics that guides moral decision-making; and information security that manages data protection and digital vulnerabilities. Taken together, these dimensions highlight the importance of T/Is' training that combines legal knowledge, ethical reasoning, and cybersecurity competence, enabling them to navigate a dynamic communications environment.

The research methodology incorporated corpus-based analysis, case-based analysis and scenario-based simulations, which helped trace how ethical standards, linguistic behaviour, and institutional power relations interact in confidential translational settings. Corpus-based analysis of 24 legal and political texts identified three documented cases, such as managing politically sensitive documents; detecting legally significant discrepancies in an international treaty, and interpreting provocative statements in real-time interviews. Case-based analysis exemplified the recurrent ethical dilemmas encountered by T/Is in legal and political translational setting, highlighting professional risks linked to confidentiality breaches, exposure to legal liability, and the management of socially sensitive language. Scenario-based simulations generated plausible high-stakes ethical scenarios, each varying key contextual parameters, such as secrecy level, degrees of legal responsibility, institutional hierarchy, and the severity of potential outcomes.

These analytical procedures allowed the study to demonstrate that translation / interpreting in highly sensitive environments, such as political, diplomatic, and judicial settings, involve T/Is' persistent ethical tensions. T/Is face a complex web of often conflicting obligations, including confidentiality, accuracy, neutrality, conflict of interest, security risks, linguistic manipulation, information leakage, and public interest. Emerging challenges, including AI-assisted translation, digital vulnerabilities, and geopolitical instability, increase ethical risks in sensitive contexts.

The key challenge is defining the boundaries of professional T/Is' responsibility in ethically sensitive situations. Although codes of conduct (AIIC, ATA, FIT, UN/EU guidelines) emphasise neutrality, confidentiality, and accuracy, real-life practice often requires ethical judgment and autonomy. This raises critical questions:

- When should T/Is intervene in ethically problematic content?
- When does loyalty to a client give way to broader societal, legal, or human rights concerns?
- How should conflicting obligations, such as public interest versus confidentiality, be prioritised in crisis situations?

T/Is face dilemmas in which fidelity to the source text clashes with the need to safeguard confidentiality, promote transparency, consider societal consequences, or manage personal risk. Their responses to such dilemmas differ significantly, ranging from rigid compliance with established protocols and institutional expectations to ethically motivated intervention or context-dependent compromise.

The study identified three main behavioural patterns in decision-making process to handle moral dilemmas, such as: the conformist pattern, which prioritises institutional demands even at the expense of ethical norms; the activist pattern, which upholds ethical principles and public interest even when this challenges institutional expectations; and the hybrid pattern, which seeks to balance both by adapting selectively and making context-dependent judgements.

The findings suggest that rigid, rule-based approaches are inadequate; instead, flexible, situational ethical models are needed to guide responsible decision-making. But multilingual legal and political settings still lack a unified ethical framework. Divergent legal standards, institutional practices, and culturally shaped perceptions of the T/I's responsibilities create significant ethical ambiguity and, at times, contradictory demands. Maintaining ethical integrity requires coordinated institutional support, clearer enforcement mechanisms, improved professional guidance, and international compliance with ethical standards.

Decision-making in confidential legal and political translation / interpreting emerges as a highly context-bound process shaped by institutional hierarchies, perceived risks, legal obligations, personal values, and the anticipated consequences of professional choices. The analytical tools applied in this study enabled a nuanced examination of how ethical norms, linguistic decisions, and power structures interact within such environments. Building on these insights, the research introduced an Ethical Decision-Making Model that simulates sensitive translational scenarios without requiring access to real confidential material. This model provides a structured yet adaptable framework that may

assist T/Is in visualising normative expectations, weighing outcomes, and evaluating risks linked to different courses of action. Beyond guiding practice, the simulations encourage reflective thinking and serve as a valuable teaching tool for developing ethical awareness and critical reasoning in translator and interpreter training.

Overall, the study demonstrates that T/Is in legal and political spheres act not only as language intermediaries but also as active ethical decision-makers. Their choices can influence legal outcomes, diplomatic relations, institutional credibility, and social stability. Therefore, strengthening ethical preparedness, professional autonomy, and interdisciplinary training is crucial to maintaining quality, safety, and integrity in responsible translation/interpreting work.

SUMMARY

The study examines the ethical challenges faced by translators/interpreters working with confidential legal and political texts, focusing on how they cope with the demands of accuracy, confidentiality, legal liability, and public interest. The aim of this study is to identify recurring ethical dilemmas, trace translators'/interpreters' decision-making processes, and demonstrate how institutional constraints and modern technological tools shape professional conduct. The research methodology includes corpus-based analysis of 24 legal and political texts, case-based analysis, and scenario-based simulation. The study implemented a two-stage empirical design: a Case-Based Analytical Component grounded on three documented ethical violations analysed through an ethical-linguistic coding matrix, and a Scenario-Based Simulation involving twelve legal translators/interpreters. The study's findings revealed three recurring behavioural patterns: conformist, activist, and hybrid. These decision-patterns are driven by institutional hierarchy, perceived risk, the use of AI tools, and unclear ethical guidelines. The key risks identified include data leakage, misrepresentation in legal contexts, manipulative language shifts, and the lack of transparency in AI processes. The study proposes an ethical decision-making model and emphasizes the need for improved professional training, the creation of secure digital infrastructures, and clearer consultation procedures and whistleblowing protocols in confidential translation/interpreting settings.

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