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## CONFERENCES AND REPORTS

### **Presentation of the book „Basics of International Law“ by President of Slovenia at the Charles University in Prague**

On March 16<sup>th</sup>, 2011 the President of the Republic of Slovenia Dr Danilo Türk presented at Vlastenecký sál of Prague Carolinum his book „Basics of International Law“. The event was attended by members/exponents of the Prague diplomatic corps, as well as academics and members of the Czech Society of International Law (hereinafter CSIL). The author and the publication were introduced by the Vice-Rector of the Charles University for international relations and mobility Prof. Dr. J. Škrha, DrSc., MBA.

It was then handed the floor to Dr. D. Türk, who also expressed thanks to Prof. Dr. P. Šturma, the Vice-Dean of the Faculty of Law and head of the Department of international law, for his involvement in the publication of this book in Czech language.

The president D. Türk then very clearly and comprehensively presented the structure and contents of his book and reasons which led him to write this book. He stressed in particular that the book was written with the intent to approach the current status and future development trends in the various key areas of international law to students of law faculties, lawyers, as well as readers of a wider, interested public. This publication shall help to acquire basic knowledge and become the impulse for further more detailed study of this interesting legal field. This is the reason why each section of each chapter of the book contains a selection of international literature, which is in the author's opinion most important. Also the language of the book, which shall be near normal conversational language among students, shall support this aim.

In the author's words the book is based on a historical perspective. In the framework of this perspective there are basic naturalistic (human nature) and positivist views of international law and of the sources of international law being defined. The author mentioned also

some important trends in international law relating e.g. to international criminal responsibility of individuals. In addition, Dr. Türk presented the chapters of his book. The structure of the book is very traditional i.e. sources, subjects, international organizations and the objects of international law. He paid particular attention to the presentation of international responsibility of states (the issue of accountability for acts of non-state actors), analyzing the activities of the International Law Commission in this regard. The final part of the presentation was devoted to the issue of collective security and international law of armed conflicts.

Subsequently Prof. P. Šturma from the position of Chief Editor of the Czech release of the book underlined the importance of the book Basics of International Law, consisting in the fact that it combines author's great erudition in theory with the author's practical experience in the field of international law and international organizations. He also pointed out the fact that the author's specific approach to international law is well comprehensive for Czech readers. In the end of his speech, he expressed thanks to collaborators and sponsors who made possible the Czech edition of this book, translated by Dr. D. Blažek (Czech Academy of Sciences) and published by the Charles University Faculty of Law in cooperation with Eva Rozkottová Publishing.

Prof. P. Šturma then opened and moderated the discussion. The first question placed by Dr. J. Mrázek (Institute of Law, CAS) related to Article 51 of the Charter and its interpretation. What is the position in the hierarchy of international law and what are the practical implications in relation to the Security Council. Another question, by Austrian Ambassador Dr. F. Trauttmansdorff, was devoted to the International Criminal Court and the role and position of the prosecutor. The Vice-Dean Prof. M. Damohorský focused his question on the international environmental law and responses to natural disasters. Discussion was then by a question of an Erasmus student from Japan,

that related more to the teaching experience of Dr. Türk in motivating to international law studies, and by further question by Dr. Z. Trávníčková (Prague School of Economics and CSIL) on the favorite chapters of the book by the author. In response to this question the influence of the author's activity in the UN where he served as UN Assistant-Secretary-General for Political Affairs showed again.

The lecture and presentation of the book was followed by a glass of wine and informal discussion when the President Türk signed books for many interested participants. The publication of Czech edition of the book and its presentation in Carolinum proved to be a successful example of academic diplomacy and fruitful cooperation of specialists in the field of international law from Slovenia and the Czech Republic.

Jitka Hanko

### **Twenty Years of Creating the Czech Terminology of European Law**

On 21st June 2011, the Luxembourg-based Czech Translation Unit of the European Parliament organised a linguistic seminar to commemorate the 20th anniversary of the start of systematic efforts to coin the official Czech terminology for the *acquis communautaire*. The event was held in the august surroundings of the former Assembly Chamber in the Schuman Building, which has witnessed a number of historically significant milestones in European integration. The keynote speaker was Professor Michal Tomášek, Head of the Department of European Law at the Faculty of Law of Charles University in Prague, who, back in 1991, was one of the first academic researchers involved in creating the official Czech terminology of European law (embodied in the Czech text of the Association Agreement).

Czech is now one of the twenty-three official languages of the European Union. The daily use of Czech in the Community institutions became reality on the day of the Czechia's accession to the EU, 1st May 2004. The relationship between the Czech language and European terminology had, however, at that time only a very short history. Prior to 1989, Czech terminology for European integration was virtually non-existent: Czechoslovakia's official political stance, in line with COME-

CON doctrine, did not recognise the European Communities as a legal entity in international relations or international trade. The EC documents that were translated and Czech terminology equivalents that were coined served the primary purpose of voicing criticism of integration processes taking place in the West. Only in the second half of 1980s did certain COMECON member states, with Romania taking the lead, begin to conclude trade agreements with the EC. Czechoslovakia joined the process only in 1988, whereupon the need to establish official Czech equivalents for Community terms was evident.

When, in 1990, the Dublin European Council gave the green light to concluding association agreements with newly restored democracies in central and eastern Europe, including Czechoslovakia, a Czech version of the agreement was drafted, under the authority of the Federal Ministry of Foreign Affairs, by its legal experts Dr Václav Mikulka and Dr Michal Tomášek. This translation was published in *Hospodářské noviny* on 17th December 1991. In the course of the June seminar in Luxembourg, Professor Tomášek recalled the difficulties encountered in translating the document. A lot of terms were simply lacking in Czech and it was necessary to coin them. There is one term that has become all but legendary: '*právo podnikání*', a Czech equivalent adopted at the time for the Community term '*right of establishment*', '*droit d'établissement*', '*Niederlassungsrecht*'. At the time when '*podnikání*' (entrepreneurship) was in vogue both as an activity and as a word, the authors veered towards translating the term from the point of view of 'business activity' rather than that of 'a right to register in another Member State in order to pursue a self-employed activity'. Later official texts have changed this conceptual perspective and preferred the term '*právo usazování*'.

Since 1991, tens of thousands of pages of *acquis* documents have been translated into Czech, with greater or lesser degrees of success. Unlike two decades ago, there is no EU legal term for which Czech does not now have an equivalent. Nevertheless, due to the specific nature of a number of European law concepts, recourse has often had to be had to adopting a foreign word in the hope that it will be ac-

cepted by Czech users. The most notable example of this was, at the end of the 1990s, the term '*euro*', which had to be taken over basically unchanged in all the EU official languages. It has become customary to decline it in a sentence, in full compliance with Czech grammar rules.

Discussions about the appropriateness or otherwise of a Czech equivalent for an EU concept are nowadays much less frequent than twenty years ago. We experienced a number of them while the Czech version of the Lisbon treaty was being drawn up. To mention just one, there was a hotly debated issue of how to name the former *Court of First Instance* (under the Lisbon Treaty, since 1st October

2009, the *General Court*) – formerly '*Soud prvního stupně*', now newly labelled as '*Tribunál*'. Opponents of its new official name in Czech tend to point out that the word '*tribunál*' may bring back unpleasant memories of specially established and politically manipulated judicial bodies that our country saw in the past. Advocates of the new translation cite the names of similar bodies of other international organisations, such as the UN.

The seminar showed clearly and convincingly that even after twenty years, the Czech terminology of the *acquis* is still evolving and has the potential to inspire Czech linguistic and legal culture.

Petr Potůček