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Translation and Analysis of the Procedures and Methods Used to Translate the Documents Estándares internacionales para la protección de la privacidad digital from Spanish into English for Acceso Foundation and From Faith to Action from English into Spanish for ASCRIGERE Foundation

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Abstract

This research project is based on the analysis of the procedures and methods used in the translation of the documents *Estándares internacionales para la protección de la privacidad digital from Spanish into English for Acceso Foundation and From Faith to Action from English into Spanish for ASCRIGERE Foundation*. They both are non-profit foundations that work with children, teenagers, and adults at social risk or poverty areas in Costa Rica.

These documents were translated and analyzed in order to maintain the original message, and to develop coherence and naturalness for the target audience. The instruments created were important to analyze the techniques, which were selected to provide communicative texts, as well as the creation of two glossaries, which were useful to keep track of common or key words on the content of the texts. The main objective of the translator was to provide both foundations with quality service content, so they can take advantage of the translated material and achieve their mission and goals, through the different instruments applied.

Resumen

Este proyecto de investigación se basa en el análisis de los procedimientos y métodos usados en la traducción de los documentos: *Estándares internacionales para la protección de la privacidad digital del español al inglés para la fundación Acceso y De la Fe a la Acción del inglés al español para la fundación ASCRIGERE*. Ambas son fundaciones sin fines de lucro que trabajan con niños, jóvenes, y adultos en riesgo social o en áreas de pobreza en Costa Rica.

Estos documentos se tradujeron y analizaron para mantener el mensaje original, y desarrollar coherencia y naturalidad para el público meta. Los instrumentos creados fueron muy importantes para analizar las técnicas seleccionadas para la traducción comunicativa de los textos, así como también para la creación de los dos glosarios, los cuales fueron útiles para mantener el orden de palabras comunes o claves en el contenido de los textos. El objetivo principal del traductor fue proveer a las dos fundaciones con un contenido de calidad y que las instituciones logren aprovechar el material traducido y lleven a cabo su misión y objetivos, a través de los diferentes instrumentos aplicados.

Table of Contents

Chapter I

Introductory Framework

This research will contain information about the translation history showing the work and transformation changes and the translation techniques for the two texts chosen to be translated based on different methods and procedures. The investigation is going to include some brief lines on the history of translation from the past to the present time which will help the reader understand and have some knowledge about the first steps in history, so this can help students, institutions, and people that may be interested in this topic; in addition, it can serve as a guide for future investigators who want to keep this information as a reference in their assignments or university projects.

1.1 Background of the Study

This background study is written with the purpose of generating material to provide the history of translation through past decades to the present time. In this way, the investigator will count with an informative work to gain knowledge in the topic. It is quite important for a person to be informed and find out a specific task in order to do a better job and become familiar with the matter that needs to be investigated.

Translation was discovered and used since many years ago. People needed to communicate to each other for different reasons such as: making trades, business, exchanges, import and exports of products and clothing, promoting tourism in the countries, helping people in need, and for many other purposes.

There are plenty of works that have been written by many authors that have become famous for their particular format, techniques, and processes they used in the past years. The papers those authors created may help us if we need support material to elaborate a new project or work that requires an idea or example from a specific writer from the past time.

The Language Realm. (2006, p.1) states that,

The word translation itself derives from a Latin term meaning "to bring or carry across". The Ancient Greek term is 'metaphrasis' ("to speak across") and this gives us the term 'metaphrase' (a "literal or word-for-word translation") as contrasted with 'paraphrase' ("a saying in other words"). The first known translations are those of the Sumerian epic Gilgamesh into Asian languages from the second millennium BC.

If we take a look at earlier history of translation in the text before, we may find interesting that words, sayings, meanings, and phrases are derived from other languages and not just precisely from a unique language. This leads us to see that different cultures are involved in translation, that is why, it is necessary to transform a word from one country to another in order to achieve the final translated word or meaning. It is said that throughout the history of the world the first translations were produced in the continents of Europe and Asia by some monks who created texts in their own mother tongues.

Jayne (1995) said: ¨The Renaissance has been termed "the great age of translations." The rise of Humanism inspired translators from various European countries to translate many texts, especially those of the ancients.¨ This important period marked a point where several translators begin to make their own pieces of translations in England in the early 16th century. Each writer focused on different topics and ideas in order to show their art through papers and expressed what they were feeling at the moment.

According to the Language Industry Association (2015), ¨the oldest myth about translation is that of the Tower of Babel. Virtually upon the tower's destruction, man needed a language industry, so translation can be seen as an enterprise in building, the building of meaning.¨ The myth of the Tower of Babel comes long ago when God punished several people who tried to build a big tower as high as they could in order to reach God in the sky above. However, God realized about this and they were punished because they were trying to be like God the almighty and they were given each one a different spoken language to communicate with their families and people the rest of their lives. From that moment on, people were immersed in the necessity of speak, read, write and translate from one language to another in order to understand the language and set up a conversation with the foreign individuals.

Culture is part of translation that has become very important since it represents characteristics and roots in every country in the world that requires translation services. In fact, culture is so important that a translator needs to be deeply involved in order to develop ideas and to find out different meanings, so that at the time of working the document can be delivered with high quality for the customer or end user.

Translators have to take into account the culture of the country into which text is being translated to, no matter if it is the native or the target language used in the translated text. When the topic and culture is known, it is easier for the investigator to carry out the research and its chosen topic. The more information about the two countries a translator has, the more knowledge is learned. All researchers need to investigate well any text and find ways to get familiar with the words, lines, techniques, and procedures to perform the translation service.

Translation Overview Through Specific Periods of Time

During the 1900´s to 1930´s the main roots took place in Germany. By that time, it was said that language was not communicative. Translation was observed as a transformation or constitution of the foreign texts. The modern period comes to state that the purpose of translation should not provide readers with the understanding and meaning of content that is written in the original text. It also points out that the work of the translator can be more meaningful than the one of the writer.

Translation should be real and not cover or hide the original; it has to be composed of a pure language text. In syntax, words become more important than sentences.

From the 1940s to 1950s, ¨translatability¨ appears as the main concept. This particular word means to change form, condition or nature (Dictionary.com, 2017). In terms of translation and interpretation, it has a meaning of turning from one language into another. Radical translation is mentioned to be the way in which translation should be based from.

This concept attempts to determine the translation of an unknown language. For this aspect the investigator has to become familiar with the language that is not known based on the observed behavior of the speakers.

This also reflects that there is the ¨indeterminacy¨ word that is presented which means the condition or quality of being indeterminate; indetermination taken from Dictionary.com (2017). This is applied when the meaning of words in context is used for the unknown language. There are three types of translations, they are: intralingual (between one language), interlingual (between two languages), and intersemiotic (between sign systems).

From the 1960s to 1970s, the main and most important concept was in terms of ¨equivalence¨. Translation was viewed as a process of communication. (Panou, 2013).

From this period, five equivalence types were derived. They are the following: denotative, connotative, text-normative, and pragmatic or communicative.

In the 1980´s, the written form is seen as the main point or aspect of the period. Equivalence is lost and the new way of translation changes for communication with specific rules that govern this time. The concept of the term ¨equivalence¨ is not current and all information to transform translations now spins over the communication side.

1.2 Research Question

The research question will describe the points of the importance of having two texts in the translation process, which will provide the reader with the translated versions in Spanish, as well as in English. It will contain relevant information in the effects and methods that will be written throughout the investigation process that will serve as a tool for the translator.

What is the Effect of the Procedures and Methods Used to Translate the Documents Estándares internacionales para la protección de la privacidad digital" from Spanish into English for Acceso Foundation and From Faith to Action from English into Spanish for ASCRIGERE Foundation?

1.3 Purpose and Significance of the Study

"The purpose of this study is to analyze the effect of the procedures and methods used to translate the documents *Estándares internacionales para la protección de la privacidad digital from Spanish into English for Acceso Foundation and From Faith to Action from English into Spanish for ASCRIGERE Foundation.*

Moreover, this translation will be of benefit for the two foundations Acceso and ASCRIGERE which provided the texts to the investigator who worked on the application of the methods and techniques to deliver a final job that could be really useful for the end user to understand and use the work as a primary translation tool. These two translations will bring new knowledge and material to share with other people who are not able to understand another language, so they will be facilitated with a translated version into their own native language for any particular purpose the text may be useful for.

In addition, the investigation and the study will be of use for all those individuals who are unable to understand a target language and also for those people who want to communicate with different countries to make trades around the world and be in contact in order to make their business grow as they get the benefit from every unit that requires translation services. The two texts will be checked and analyzed as well as reviewed with the support of a tutor who will work together with the researcher to provide the translation that was requested to be done in a specific time to present the final art or version of the paper to the customer. A translator has to show the customer that the job done has a high quality since the prestige of translation and his piece of art will be shown to many people who deserve to get the best type of translation and want to have and take advantage of the document.

1.4 Objectives of the Investigation

The scope of work for the investigation of the objectives is to provide a clear message for the reader to understand the objectives that will be developed throughout the pages of this particular project. Based on the objectives, people will follow the way of how this thesis is organized step by step and will be able to gain knowledge.

1.4.1 General Objective

To analyze the effect of procedures and methods used to translate the documents *Estándares internacionales para la protección de la privacidad digital from Spanish into*

English for Acceso Foundation and From Faith to Action from English into Spanish for ASCRIGERE Foundation.

1.4.2 Specific Objectives.

- To translate the documents *Estándares internacionales para la protección de la privacidad digital from Spanish into English for Acceso Foundation and From Faith to Action from English into Spanish for ASCRIGERE Foundation*

- To apply various translation procedures to the documents in order to achieve communicative texts

- To design a glossary with the most relevant terminology found in both texts

1.5 Limitations of the Study

When there is an investigation of a particular study at an academic level, there are some limitations at the time one starts, during and after the moment of finishing the research. There are obstacles and different situations that may intervene in the process of creating the work.

Since this research paper is long enough, it will have several limitations through its process in order to make the desired piece of writing art. If one decides to start a research, one must conclude from the very beginning that it will contain aspects that illustrate well the topic and provide material in general to make the most out of the author´s mind at the time of typing or writing.

There is no possibility that an investigator does not include any limitation at all because there exist many types of them that help a writer to identify possible problems and also find the corresponding resolution to the issues that may be presented along the path of words. This determines how the research of information, tools, papers, and other sources will be applied in the document, so that it can all become just one piece of fundamental ideas and connections for the reader to enjoy its reading.

The limitations of this study will be listed and explained in the following paragraphs that contain the issues or impacts of the study that is carried out.

Longitudinal Effects

There is a lack of longitudinal effects to complete the research since the time to get the assignments done is very short and many pages should be written by the investigator for every chapter of the thesis. Being the case that this is a translation research, it becomes hard to get the right information at the moment of the investigation for a specific point that needs to be developed in a deeper way.

Measure Used to Collect the Data

Measuring the use of data collection can be very confusing and sometimes messy. Therefore, being organized represents a main strength to start and focus on the paper research even more precisely and organized, so the daily or weekly tasks and activities become easier when working in the project. The disorder and variables used in the text may get it neat or not, all this depends on the type of guidance the person takes leading the document. One may forget to include a part of a text or eliminate other paragraphs the one may consider are not necessary; however, it will all be marked in how the author wants the work to be done and the characteristics he/she would like it to have for a better comprehension of the reader.

Time Constraints

Time constraints are found in most of the investigations written by any author around the world. In this case, the writer does not have enough time due to his working schedule and the place in which he lives. Sometimes working in a specific job that does not allow any free time to write. There are always time constraints that will limit one´s search and will take time away. In regards with the thesis assignments, if the student works an eight or nine hour schedule, this will reduce the time to coordinate and prepare the project that is being developed at home or at the place the student is spending over in order to perform the tasks.

The representation of the word ¨time¨ means quite much since one depends that word to move around in the planet, to perform one´s daily schedules, and to move on from one place to another.

Study Environment

In order to develop any project, task, or work, it is highly important to choose a specific place to carry out the investigation. The author or investigator needs to think of the spaces and alternatives that are or may be available for the possible writing of the paper.

The difficult part is at the very beginning due to the fact that a quiet and silence place is highly recommended and really needed to perform the job. Even if that ideal place is found, it is hard to assure that the investigator will write as freely as possible since there are many limitations such as: noise, loud people talking, outside movements of transportation means, animals bugging near the place of study and many other distractions that will catch the attention and may interrupt the working process at any time that will affect the overall research.

Finding an adequate space to work will take some time and sometimes this place may vary or change location depending on the possibilities and people; this will become either hard or easy to achieve. Writers and investigators will always try to look for the best option, and also for space and time in order to complete their work the best way possible; however, in the process of trying to achieve what they want, they may encounter several problems they will need to face and solve during the writing process.

Chapter II

Theoretical Framework

In this chapter the investigator will refer to the texts or documents that will be translated. This chapter contains different pages that will focus on the text analysis, stylistic scales, text function, types or styles of translation, translation techniques, theories, and glossaries. All of the contents mentioned are going to be developed in detailed in order to provide a closer look at the information that the investigator will write.

The importance of this chapter is that the reader or future student becomes familiarized and gain knowledge in order to establish a strong set of tools and strategies for his or her paper at the time of the presentation of the project. This can help students to get an overview or structure view as an aid guide to create their proper ideas and thoughts based on the structure presented by the researcher.

2.1 Text Analysis

Text analysis may be composed of several steps in order to analyze in depth the topic of translation for a better understanding either from Spanish into English or from English in Spanish. According to Newmark (1988), ¨You begin the job by reading the original for two purposes: first, to understand what it is about; second, to analyze it from the translators' point of view, which is not the same of a linguist or a literary critics¨.

As Newmark (1988) says, the very first step to start is by reading the original document or text in order to understand it and analyse the source and target language of each.

In order to understand a text, it is always recommended to read it at a glance the first time by looking at it and then, read the article deeply in order to comprehend better the topic and its content. There are two ways to proceed and determine the steps to get to the analysis of the translation.

The first one is the general way. For this one, it is said that general reading is done at the beginning to get the gist; here you may have to read encyclopedias, textbooks, or specialized papers to understand the subject and the concepts, always bearing in mind that for the translator the function precedes the description. It lets people to get a general overview of the topic and the information written in the paper.

On the other hand, there is the close reading. Close reading is required in challenging text in order to understand the words both out of and in context. This time, translations will pay more attention to details, new words, and comprehension of the text, so the investigator can become even familiar with the book or research assigned or chosen previously.

The investigator should start from a general idea to a closer idea. This will help the translator know which topic, subtopics, and other parts of the thesis or document are going to be included. This closing reading is much clear to the reader of the paper since it provides an organized structure and gives easier meaning to the text.

When the meaning of words is clearly written, the translator will not have any difficulties trying to understand the ideas and the thread of the whole work. It is hard when ideas in a paper are confusing, since translators will find difficult to get the meaning of what has been written. The clearer the meaning and order in the structure of words are, the better the understanding of the reader who is also going to stand out the job of the author.

¨You can compare the translating activity to an iceberg: the tip is the translation - what is visible, what is written on the page - the iceberg, the activity, is all the work you do, often ten times as much again, much of which you do not even use¨. (Newmark, 1988).

Most people will feel close to this citation because it represents two different aspects when a translating activity is performed. First, the translation activity itself is compared, he says, to an iceberg, since it refers to the big work of art. Second, the proper activity outside the paper that is done in writing represents much more and it is not reflected in the whole investigation. It is composed by many other aspects that are not written in the paper, but that are part of the whole translation activity that cannot be simply observed throughout the pages.

2.1.1 Text Styles

In the case of a translating activity, when the text is given or chosen by the translator the text style has to be determined in order to begin the document writing a developmental technique.

According to Skinnari K. (2002). It is not only the content meaning that is translated in the process, but also the references of the language used and the general atmosphere of the text that should be transmitted to the target language readers.

The content is not the only part of the process that is relevant, but it is more than that. There are some characteristics such as the references in the text that need to be a special fact for people reading, so they may get the correct meaning from the text.

For Nida & Taber (1982), “Translating consists in reproducing in the receptor language the closest natural equivalents of the source-language message, first, in terms of meaning, and secondly, in terms of style” (p.11).

According to Newmark (1988), there are four distinguished text styles categories which are:

(1) Narrative: A dynamic sequence of events, where the emphasis is on the verbs or, for English, ¨dummy¨ or ¨empty¨ verbs plus verb-nouns or phrasal verbs (¨He made a sudden appearance¨, ¨He burst in¨). This category is emphasized in the use of verbs where the translator needs to write the necessary words in the correct tense. The verbs have to be strong and imply a determined action. This narrative section is written in common life and fantasy tales.

(2) Description: It is static, and makes emphasis on linking verbs, adjectives, and adjectival nouns.

In this category, the focus will be in the descriptive part, the writer needs to use words that better describe the topic or character in order to provide a clearly meaning to the readers. The importance is on the adjectives and adjectival nouns, instead of in the verbs.

(3) Discussion: It is a treatment of ideas, with emphasis on abstract nouns (concepts), verbs of thought, mental activity ('consider', 'argue', etc.), logical argument and connectives.

The author tries to explain his/her points using abstract nouns and concepts as well as following logical arguments and mental activity as can be implied by using verbs such as, consider, argue, and so forth.

(4) Dialogue: It makes emphasis on colloquialisms and phaticisms.

This category is characterized by the dialogue itself. It uses different types of elements as the colloquialisms and phaticisms to use words intended for special characters in text conversations.

2.1.2 Stylistic scales

Stylistic scales are ¨the main aspects when translators analyze the text; this is because they help the translator to identify the type of readers the text will be addressed to, as well as the vocabulary that is necessary in the translation¨. Uni Assignment Center (2016).

2.1.2.1 Scale of formality

This scale of formality has to do with how formal or informal a text is written. It has a close relation to the intention of the author. Newmark provides examples for the different levels in the scale of formality. Some examples are: Formal: ¨You are requested not to consume food in this establishment¨, Informal: ¨Please don´t eat here¨.

Newmark (1988, p 8) quotes Martin Joos and Strevens and refers to the following scales of formality: Officialese, which is a type of language often used in different documents, formal, and difficult to understand. Official: a language that refers to official papers, formal or appropriate vocabulary that mentions or explains in a formal or polite manner to the reader for a correct understanding of an accurate meaning. Informal, as the word explains by itself, corresponds to a non-formal language used in almost every day conversations where people talk about difficult topics using a casual vocabulary. In most cases, they use words easy to understand. Colloquial language is much more common in normal conversations than the formal one; it uses similar vocabulary to the informal language.

Slang language is used for referring to specific sentences in a hilarious way or talking about something in a specific way from in a town or city, that almost anybody who is not from the area will be able to identify. Taboo, is the cultural prohibited vocabulary, a forbidden discussion or association involving people.

2.1.2.2 Scale of generality or difficulty

This scale will contemplate levels of scales of generality or difficulty due to the technical vocabulary that is going to be presented, that is, from the simplest to the more complex in every category. An example provided by Newmark is: “The floor of the sea is covered with rows of big mountains and deep pits.”

Newmark (1988, p 8), classifies the scales of generality or difficulty in six categories: simple, it is understandable and easy to get the meaning from; popular, it is relevant for everyone to get the general concept or idea; neutral, it uses only basic vocabulary or commonly used words; educated, it is for different audiences with more education and different levels of knowledge acquisition; technical, it is for scholars in a specific subject matter or specified degree; and opaquely technical, it is comprehensible only by an expert in the topic and best known by a highly educated person that provides important or valuable knowledge to people.

2.1.2.3 Scale of emotional tone

As in the scales that have been mentioned before, the emotional tone has to do with how expressive the author can be when writing a text. One example that Newmark presents is the following: ¨Enormously successful¨.

Following the same text with the scale types, Newmark (1988, p 8), extends his suggestion with the scale of emotional tone. Here is the list of the three scales of emotional tone: Intense; it has profuse meaning or identifiers such as hot, extreme, that require high or powerful strength; warm, it is gentle, soft, tender, heart-warming, a really pleasant feeling of emotion; factual, its meaning is cool, significant, exceptionally well judged, personable, presentable, and considerable.

2.1.3 Text Function

There are three important text functions delimited by Newmark. According to Karl Biihler they are the informative, the expressive and the vocative functions.

2.1.3.1 Informative

The informative text function has to do with a journalistic type of writing, where actions and fact are predominant and the format is normally standard. The core of the informative function of language is an external situation, the facts of a topic, reality outside language, including reported ideas or theories.

According to Newmark (1988), for the purposes of translation, typical informative texts are concerned with any topic of knowledge, but texts about literary subjects, as they often express value-judgments, are apt to lean towards expressiveness. The format of an informative text is often standard: a textbook, a technical report, an article in a newspaper or a periodical, a scientific paper, a thesis, minutes, or an agenda of a meeting.

2.1.3.2 Expressive

The expressive text has to do with the feelings of the author and the way he or she thinks about a particular subject. Based on Newmark (1988, p 20), ¨the core of the expressive function is the mind of the speaker, the writer, the originator of the utterance. ¨ Newmark (1988) points that there are three main characteristics for the expressive category, which are the following:

(1) *Serious imaginative literature:* Of the four principal types, lyrical poetry, short stories, novels, play, lyrical poetry is the most intimate expression, while plays are more evidently addressed to a large audience, which, in the translation, is entitled to some assistance with cultural expressions. The author states that due to the singularity of the literature descriptive in the text, one type of literature will be expressed differently than the other one.

(2) *Authoritative statements:* These are texts of any nature which derive their authority from the high status or the reliability and linguistic competence of their authors. Such texts have the personal 'stamp' of their authors, although they are denotative, not connotative. Typical authoritative statements are political speeches, documents by ministers or party leaders; statutes and legal documents; scientific, philosophical and 'academic' works written by acknowledged authorities. This point is about the type of statements, which as they are called become part of formal and government like special documents that are directed to a special audience.

(3) Autobiography, essays, personal correspondence: These are expressive when they are personal effusions, when the readers are a remote background. Expressive include personal documents. An author will use papers for a more personal

approach or individually destined for specific parts of elements of writing referencing the text with its correct format.

2.1.3.3 Vocative

The vocative text focuses mainly in the readership audience. This function of language has been given many other names, including ¨conative¨ (denoting effort), ¨instrumental¨, ¨operative¨ and ¨pragmatic¨ (to produce a certain effect on the readership) Newmark (1988).Vocative texts are more often addressed to a readership than a reader.

According to Newmark (1988), for the purposes of translation, the following elements are taken: notices, instructions, publicity, propaganda, persuasive writing (requests, cases, theses) and popular fiction, whose purpose is to sell the book and entertain the reader.

Newmark (1988) states that the first factor in all vocative texts is the relationship between the writer and the readership. This is all determined by social and grammatical expressions and other forms such as, infinitives, imperatives, subjunctives, indicatives, impersonal,
passives; first and/or family names, titles, hypocoristic names; tags, such as please, all of them play their part in determining asymmetrical or symmetrical relationships, relationships of power or equality, command, request or persuasion.

The second factor is that these texts must be written in a language that is immediately comprehensive to the reader. Not every text is written with just one text category as expressive, informative or vocative, sometimes a text includes the three styles, but emphasizes a particular one.

2.1.4 Type of Translation

The translation process is somewhat complex, as stated before it requires hard work in order to obtain the final result. Due to the high quality process that it carries, a translator will need to go through different steps in the process, such as, analyzing data, investigating deep topics, proving some techniques to choose one writing pleasantly to please the audience, and providing people with the best piece of work possible. The type of translation a writer chooses will vary based on the text, content, and other variants which will allow the translator to develop the type of work that needs to be done.

Newmark (1988), states that there are two approaches to translating, the first one is sentence by sentence to get the feeling tone of the text, review the position, and read the rest of the source language text. The second approach is when the whole text is read two or three times to find the intention, register, tone, difficult words and passages, and start translating only when you have taken your bearings.

2.1.4.1 Semantic Translation

As Peter Newmark states, semantic translation is related directly to the source language text. It is centered in the author, what the author feels, and his/her thoughts. The main focus centers in the writer and how the type of translation is developed.

This is also semantic and syntactic oriented, allowing length of sentences, word position, and integrity of clauses. Other aspects or focuses that this translation provides are: informative, faithful, more literal, more detailed, complex, source language biased, more powerful, wide, and universal.

The translator or writer has no right to improve or correct, mistakes should be added as footnotes. This is applicable to all writings with original expressiveness, it means that it needs to be adapted to the original text, requires being an exact statement. Basically, it is the work of only one translator who will provide his own meaning and style at the time of writing his art.

2.1.4.2 Communicative Translation

Communicative translation is the one that owns its proper style. This style is centered mainly in the reader as is the main focus. Newmark (1991), provides some concepts to this communicative translation. For example, he summarizes the following points as the main or most important parts.

This type of translation pursues the intention of the author through speech, makes the thought and cultural content of the original more accessible to the reader, faithful, freer, is effective, easy to read, more natural, smoother, conventional, more direct, clearer, confirming to the particular register of language, target language biased, social, less powerful, may be better than original text because of gain in force and clarity despite loss of semantic content.

The translator or writer has to correct and improve the logic and style of the original text. Also, the translator can correct mistakes or facts in the original text. Target as a happy version and successful act. Unit version of translating tends to sentences and paragraphs. It is sometimes the product of a translation team providing a message.

2.2 Translation Techniques

According to Molina & Hurtado (2002), a translation technique is applied in a smaller area of the text and it is used with the purpose of getting an equivalent from the source language into the target language.

Translation techniques are fundamental in order to complete a translation project. Every technique becomes a little part that will then be an important piece that will be united with the final version of the text in order to transform it into a whole solid work. Techniques will help the translator to define in a better manner the work through the pages and the steps that need to be included to provide sense and structure to the paragraphs.

2.2.1 Transposition

Transposition is the procedure in which a part of the grammatical structure is changed in a sentence of the original text to the translation phase.

According to Vásquez-Ayora (1977), transposition is the procedure where a part of the speech is replaced by the original text to the translated version with the semantic content. This means that the sentence will not be affected; however, there will be a grammatical structure change that will replace part of the sentence from the original to the translated text. There are different types of transpositions; some of them will be presented in the following lines. They are:

1- Adverb/verb

Original text vs translated version

They were never told the announcement / Nunca se les dijo el anuncio

She is in the same room obviously / Es obvio que ella está en el mismo cuarto

2- Adverb/Noun

Early last month / A principios del año pasado

It is commonly thought that / La gente piensa que

3- Adverb/Adjective

He unconcernedly went through the luggage routine. / Pasó despreocupado por la rutina de chequeo de equipaje.

We have been participating vigorously. / Hemos tomado parte muy activa.

4- Past Participle or Verb/Noun

He went to look for him / Fue en busca.

Irrigated crops / Cultivos de regadío

5- Verb/ Adjective

We will attempt to be brief; relying on subsequent discussion to clarify points which…

Trateremos de ser breves, confiando en que las discusiones subsecuentes puedan esclarecer…

6- Verb/Adverb

As you may have observed / Como ustedes tal vez lo han observado

7- Noun/Verb or Past Participle

In order to provide additional clarification / A fin de esclarecer aún más

England notified the acceptance of the proposal. Inglaterra comunicó que aceptaba la propuesta.

8- Adjective/ Noun

A <u>native</u> American / Un norteamericano de <u>nacimiento</u>

To set someone <u>free</u> / Dejar a alguien en <u>libertad</u>

As Vásquez-Ayora (1977) explains transposition is based in the word formulas that are presented in the process he describes. There are different types of modulation that will let any writer choose from the big variety of options before mentioned. The nouns, adverbs, verbs, adjectives become part of this family that as shown, all together can create a vast quantity of sentences to transform the writing purposes or goals translators have in mind.

This process of transposition clearly tries to make the writing role easily for the person who is behind the pen and the paper. It will help to provide different ideas of using the types of transposition by including words to be translated into easy understanding for the final user or reader that loves to exercise and expand new knowledge through books and papers.

2.2.2 Modulation

Modulation occurs when the translator makes use of his or her ability to transform a sentence into another one without altering the same way of thinking by providing or even saying the same matter. The meanings of the sentence will not be altered or modified with a different group of words, but it will keep the words and significance as in the original lines.

According to Jones (2014), this technique involves a change, not with grammatical categories as in a transposition, but in the way of thinking, in categories of thought. When talking about a change in the category of thought, it can be from concrete to abstract, cause to effect or means to result.

This author mentions that in modulation there can be several different styles of thinking, people which are using their own essay and modulating according to the kind of paper or writing art they wish to accomplish going from one specific part to another in the thinking pattern.

Modulation Varieties

There are some modulation varieties which will be shown in the following paragraphs to illustrate this technique with examples of sentences.

1. *From general to specific*

-A cop stopped me and asked to see my papers

Un policía me detuvo y me pidió mis papeles o la identificación

-It was a hit

Fue un éxito

2. *Explicative (cause-effect, mean-result)*

-To the practice eye

Para el ojo experto

-Trembling with the shoot of the lights

Temblando bajo la intensidad de las luces

3. *Specific to general*

-There was none of bitterness of a crippled around the mouth

No se veía ningún vestigio de la amargura del inválido en su rostro

- To go for a sail

-Ir a pasear en barco

4. *One part for another*

-Eye ball to eye ball

Cara a cara

-At arm´s length

Al alcance de las manos

5. Term inversion

-I took my job from my friend

Mi amigo me cedió el trabajo

He suffering the same fears he had as a small child

Se apoderaron de los mismos temores que tenía de niño

2.2.3 Omission and Amplification

Vásquez-Ayora (1977), says that this technique most of the times is ignored and developed in the best way, and that let us get not into expansion, but omission. What the author says is that some people do not take advantage of this resource. They are making mistakes at the time of developing sentences and using more words than necessary.

2.2.3.1 Omission

A translator may be using omission in a different way and not as it should be used to develop the ideas. There are some types of omissions that are described by the author in this particular case, that will show accurate uses.

1. Omission redundancies

-Through collective and cooperative action

Mediante cooperación colectiva

2. Auxiliary can with perception verbs

-I can hear music in the next room

Oigo música en la otra oficina

3. Auxiliary can + infinitive of some verbs

-This problem can be solved in two days

Este problema se resuelve en dos días

2.2.3.2 Amplification

Amplification was first introduced by Vinay and Darbelnet (1995) and after that; many authors have referred to it using different names, for example addition, expansion and paraphrase. Vinay and Darbelnet affirm that in this technique the target language unit requires more words than the source language to express the same idea. Some examples of this technique are the following:

1. *Adverb amplification*

-The boys there don´t like sports

A los muchachos que viven allí no les gusta los deportes

2. *Verb amplification*

-To surface: salir a la superficie

-To endanger: poner en peligro

3. *Adjective amplification*

-Of the great outward movement from the inner city

Del gran movimiento desee el corazón de la ciudad hacia el exterior

2.2.4 Explicitation

Vásquez-Ayora (1977) states that this is a semantic expansion and tends to ease the interpretation of the message. The technique is needed when for cultural or linguistic reasons there are implicit messages that the readers from the source language find logical and no explanation is needed. This does not happen in the target culture and the translator has to provide further explanation to convey meaning.

As the author describes this technique, it is explained that the writer provides words or sentences in which a message or meaning may be implicit, so the person behind the book or paper may not need to discover or research in the lines because they would understand the meaning by themselves. On the other hand, in the target language, this works the other way around than the source language.

Some examples of explicitation are the following:

1- The Secretary of State testified against the provision that automatically excludes all OPEC members.

   En las audiencias previas, el Secretario de Estado argumentó en contra de la disposición que excluye ipso facto a los miembros de la OPEC.

2- To help resolve the basic question of delegation

   Para resolver los problemas básicos de la delegación de poderes

2.2.5 Literal Translation

For Vinay & Darbelnet (1995), literal translation or word for word from the source to the target language makes the path to a correct and idiomatic text without having the translation worry about idiomatic expressions or sentences. The translator is limited to observe the correct adherence to the linguistic servitudes of the target language. This technique is commonly used between two languages of the same family or when both languages share the same culture. This technique is not 100% acceptable due to the fact that the translation may not end being translated as accurately as desired because the variations in the source and target language require more analysis than a word for word version.

2.2.6 False Cognates

According to Orellana (1987), false cognates are words that have the same form but different meaning; they can derive from a common root and physically look alike, but the meaning is not the same. She says it is important to be attentive to them, since false cognates are tricky and usually lead to errors in translation.

People may get confused when they see two words with the same format and might think they mean the same in Spanish as in English, but that is wrong. Most of the words in sentences for this technique are derived from a common Latin, ancient Greek or Old French source.

Here are some examples for false cognates:

English Word	Correct Spanish Word	Confused With
Carpet	alfombra	carpeta
Choke	estrangular	chocar
Embarrassed	avergonzado	embarazada

2.3 Glossaries

This will represent the last section of the second chapter of the thesis. Glossaries are an important tool for the translation process and translators who make use of them in many of their projects or assignments. A glossary may be taken for special papers that acquire certain type of vocabulary or words. Some basic and useful information on what a glossary is and steps for creation and some guidelines can be found in the next lines.

A glossary represents an important piece of information, since it will provide us with vocabulary and words that may be useful at any point of a work. People at different companies or jobs may incur in the mistake of doing rework in a special project without noticing that they may ease their tasks by having a glossary at hand.

According to Lionbridge (2013), a glossary is a tool or document that helps mitigate the consistency problem. It may also be referred to as a lexicon, term base, and terminology collection.

2.4.1 Relevance for the Translator

Lionbridge (2013) says that the glossary helps translators make sure that each time a defined key term appears, in any language, it is used consistently and correctly. Moreover, the glossary becomes even more important for maintaining consistency if you use more than one translation resource. By helping eliminate uncertainty in the translation process, the glossary will enforce consistency, shorten the time it takes to translate a document, and reduce the overall cost of translation over time.

A glossary encourages terminological consistency; the translator can provide a high quality work and gain the customer’s trust. There is also a productivity and cost reduction relationship associated with the implementation of glossaries (for the translator and customers).

Most translators use digital glossaries because they are easier to update, share, and use. Also, having the terms with equivalences in the target language and a definition handy, it saves time, the time that was initially spent looking for information or doing research.

2.4.2 Relevance for the Translation Process

Glossaries help eliminate uncertainty in the translation process, it will enforce consistency, shorten the time it takes to translate a document, and reduce the overall cost of translation over time. In other words, what the text above refers to is that through glossaries people may find help in an easy and faster way of the completion of the translation process. It will benefit to save time and money which will result at the end in a smoothly procedure. ¨The glossary contains your key terminology in your source language (typically English) and approved translations for that terminology in all your target languages. The glossary may also contain other metadata such as the definition, context, part of speech, and approval/review date¨. Lionbridge (2013, p 2).

Gapper (2008) says that once the information has been picked and stored in a systematic way, the creation of a glossary is followed based in the requirements and defined users at the beginning of the process. Before generating any type of specialized glossary for specific companies or places on demand, it has to be examined in detail a group of printed and electronical glossaries from different fields and formats. All of this will help to have concrete examples of what will be shown in a specific chapter, format, order, and others.

It is helpful to observe the type of information included in different dictionaries, glossaries, terminological banks, as a point of initiation to fix criteria selection regarding the aspects that need to be included in the glossary based in the particular case scenario.

It is necessary to decide the aspects or specific points that will be included in the glossary according to the topic and specified needs.

2.4.3 How to Create a Glossary

According to Lionbridge (2013), these are the steps for a glossary creation:

-Review your preexisting materials, style guides, or formal communication formats to identify potential terms.

- Provide the other metadata: usage, context, and definition.

- Validate the terminology for correct usage in each target language.

- After formalizing the development, translation, and management of the glossary, the Language Service Provider (LSP) uses it during the translation process.

- The glossary provides a needed level of precision for the most important terms in the source material.

-The chart will include the source language, target language, the grammar category and definition.

According to Gapper (2008), these are the specific points for the creation of a glossary.

- Determine the nature of a glossary, that is, readership or audience,

selected user, reason for using the glossary, circumstances for using the glossary.

- Define the content of the glossary.

- Determine the terms to be included: (define criteria selection), terms from a particular topic or field, terms not found in general dictionaries, fundamental terms for the comprehension of the topic, options, such as: words, expressions, proper names, acronyms, information that can be included in the glossary, about each term, (word or phrase), and grammatical category.

- Definition or explanation (determine the most convenient type of definition), equivalent in the target language, equivalent in the source language.

The steps to create a glossary that appear in the previous pages will help as a supporting tool or small guide to provide information for readers, translators, students, and any other group of people who want to improve and also gain knowledge in order to add helpful material in future projects or assignments in the English educational field.

Chapter III

Methodological Framework

This chapter will show how the analysis by the researcher will be performed detailing the scope of work, the methods and tools to be used in order to gather data. The methodological framework helps establishing the direction of the investigation to take the theory documented and put it into practice to answer the research questions and achieve the general and specific objectives. It is also important to describe the quantitative or qualitative and mixed approaches to understand the difference between them and why one of them is part of this specific paper work.

3.1 Research Method and Scope

In order to start a research stage every researcher needs to choose which method fits best the paper that is going to be written, and find a plan for the purpose of investigation based on the topic or subject. According to Creswell (2008), there are some defined types of research methods. The three research methods are: Quantitative, Qualitative and Mixed. In addition, there are three factors that help a researcher select the best research method; the first one is the research problem. The problem represents the issue to be addressed; its nature and the type of outcome. The second one are the personal experiences, it will depend on the researcher’s abilities, time and resources. And the third factor is the audience; they are the ones that will shape the decision made about the method selected.

3.1.1 Qualitative Research

It is a means of exploring and understanding the individuals or groups ascribe to a social or human problem. The process of research involves emerging questions and procedures, data typically collected in the participant´s setting, data analysis inductively building from particulars to general themes, and the researcher making interpretations of the meaning of the data (adapted from Creswell, 2017). Some examples for this specific research method are: texts, books, among others.

3.1.2 Quantitative Research

Creswell (2008) states that this method was made for testing objective theories by examining the relationship among variables. These variables, in turn, can be measured, typically on instruments, so that numbered data can be analyzed using statistical procedures. Just like qualitative researches, those who engage in this form of inquiry have assumptions about testing theories deductively, building in protections against bias, controlling for alternatives explanations, and being able to generalize and replicate the findings.

3.1.3 Mixed Method

Based on the same research design from Creswell (2008), this is an approach to inquiry that combines or associates both qualitative and quantitative forms. It involves philosophical assumptions, the use of qualitative and quantitative approaches, and the mixing of both approaches in a study. It is more than simply collecting and analyzing both kinds of data; it also involves the use of both approaches in tandem so that the overall strength of study is greater than either qualitative or quantitative research.

After, explaining three researcher methods, it has to be stated that the present investigation paper will be based on the qualitative descriptive method, as the analysis of the text, color-coding technique, and the glossaries, that are part of it are carried out through an observation process. There will be no numerical data or statistics used during this process and the deductions that will be made are based solely on the documents that will be analyzed.

3.2 Selection and Description of Population and Sample

There are two texts to be analyzed in this project. The first one is "From Faith to Action Initiative," for ASCRIGERE. This is a translation requested to be done from English into Spanish; it is directed to a Love in the Streets Ministry initiative, where there are orphan and poor children who live in the streets or in unfavorable conditions. The children are placed into the Ministry to be given a better life opportunity base on a call from God. This text is specifically meant to be prepared for vulnerable children in the Sub-Saharan Africa to strengthen family and community care for orphans. The objective of the text is to serve as a resource for faith-based groups and donors seeking to help children and families affected by HIV/AIDS.

The second text corresponds to the "International Standards for the Protection of the Digital Privacy." This is a translation requested to be done from Spanish into English. The text is about the rights people have in regards information security and privacy in Central America. The foundation name is called Acceso, an institution that works hard to make sure the rights in the fields of communication and privacy are accomplished according to the guidelines and procedures from a security point perspective. The foundation works hard to diminish the impact of hackers and people who attempt with the work of the writers, translators, and other group of individuals that may represent a threat to their own projects in the field of communication and privacy of their property materials.

3.2.1 Description of the Institutions

3.2.1.1 ASCRIGERE

Since 1993, ASCRIGERE - Love in the Streets Ministry- has improved Costa Rican childhood and youth in unfavorable conditions through opportunity. The name of the institution stands for the following words in Spanish: ASCRIGERE (Asociación Cristiana Hacia una Generación Restaurada). Their mission is to serve as suitable and effective instruments in the hands of God for the complete restoration of the poor with special care for younger generations, as well as training people in fulfillment of the divine purpose framed in the context of the Great Commission of Jesus Christ and the Kingdom of God. In addition, their vision is that through each organized program thousands of children, adolescents, families, communities and nations are distinguished and touched by the love of God as dignified people to fully develop their individual potential for the proper and common good.

Love in the Streets Ministry was originated in response to the unjust situation of children sleeping in the streets of Costa Rica. Its commission is to give them a place to sleep. However, given the magnitude of problems presented in childhood and youth, it has been necessary for ASCRIGERE to extend its actions, to not only counter this situation, but to also prevent it and re-educate the public about it. Therefore, it has created, innovated, reinvented and optimized its programs to cover multiple populations and provide care according to each need. The Ministry also joined the Costa Rican Evangelical Alliance Federation.

The story of ASCRIGERE began when Sonia Brenes and Edwin Guevara founders where called upon God´s plan. Sonia shared the vision of God and created the initiative along with a small group of people which then grew bigger with the passing of time. This Institution strongly believes in the power of God in their lives that has helped them built this ministry through the years and vision from the past serving children in need.

3.2.1.2 Acceso

This organization was founded in 1992; it is a non-profit foundation that resides in Costa Rica. Since the year 2007, it has been working in the Central American region, with defenders of human rights in risk giving support in related processes with security in information and communication. Their mission is to contribute to mitigate the permanent and growing human right violation linked to physical, technological, and psychosocial security of population in vulnerable situation and in risk in Central America. In addition, their vision is that as a strong organization in which all the areas develop a compromised job, innovating, that positions the institution as a reference at a regional level in the defense of rights related to physical, technological and psychosocial security

3.3 Implemented Strategies

As it was previously mentioned in the Chapter II, translators must be required to create a valid strategy to achieve ideas from one language to another in a correct manner. The text analysis may be composed of several specific steps in order to analyze in depth the topic of translation for a better understanding that could either be from Spanish into

English or from English in Spanish. According to Newmark (1988), ¨You begin the job by reading the original for two purposes: first, to understand what it is about; second, to analyze it from a translators' point of view, which is not the same as a linguist's or a literary critics¨.

As Newmark (1988) says that the very first step to start is by reading the original document or texts in order to understand the translation and have the analysis of the source and target language. In order to understand a text it is always recommended to read it at a glance the first time by looking at it and then read the article deeply in order to comprehend better the topic and its content. There are two ways to proceed and determine the steps to get to the analysis of the translation.

The first one is the general way. For this way it is said that general reading is at the beginning to get the gist; here you may have to read encyclopedias, textbooks, or specialist papers to understand the subject and the concepts, always bearing in mind that for the translator the function precedes the description. It lets people to get a general overview of the topic and the information written inside the paper.

On the other hand, there is the close reading. Close reading is required, in any challenging text, of the words both out of and in context. There will be more attention to details and new words and comprehension of the text will be presented, so the investigator can become even familiar with the book or research assigned or chosen previously.

The investigator should start from a general idea to a closer idea. This will help the translator know which topic, subtopics and other part of structure the thesis or document is going to be included. This closing reading is much clear to the reader of the paper since it provides an organized structure and gives easier meaning to the text.

When the meaning in words is clearly written, the translator will not have any issues trying to understand the ideas and the thread of the whole work. It is hard when ideas in a paper are confusing since translators will find it difficult to get the meaning of what was written. The clearer the meaning and order in the structure of words is, the better the understanding is from the reader which is also going to stand out the job of the author.

¨You can compare the translating activity to an iceberg: the tip is the translation - what is visible, what is written on the page - the iceberg, the activity, is all the work you do, often ten times as much again, much of which you do not even use¨. (Newmark, 1988).

Most people will feel close to this citation because it represents two different aspects when a translating activity is performed. First, the translation activity itself is compared he says to an iceberg since it refers to the big work of art. Second, the proper activity outside the paper that is done in writing, it represents much more and that is not reflected in the whole investigation, it is composed by many other aspects, that are not written in the paper, but that makes part of the whole translation activity that cannot be simply observed through the pages.

Once the two texts are translated, a complete revision is needed in order to verify style, formality, tone, coherence, and make sure the intention of the author and text are transmitted. When that part is done then the 15 paragraphs from the sample will be used to analyze the translation procedures with the color coding designed for this specific study.

The color coding facilitates identification of techniques, trends and lack of procedures in a single unit text in order to provide better understanding of ideas for translation.

3.4 Data Collection Instruments

According to the Faculty Development and Instructional Design Center (2005), data collection is the process of gathering and measuring information on variables of interest, in an established systematic fashion that enables one to answer stated research questions, test hypotheses, and evaluate outcomes. The data collection instrument is a measurement tool that allows the investigator to elaborate results for a proper observation and evaluation. The instruments that will be used in this paper will help the researcher to achieve the objectives and provide valid conclusions about the usage of methods and procedures in the texts selected. The benefit of the qualitative approach is that the information is richer and has a deeper insight into the phenomenon under study.

The main methods for collecting qualitative data are: Observations, action research, questionnaires, attitude tests, glossaries, background context and review of documents interviews, among the most frequently used for researchers in general. The two instruments that are going to be used are the text analysis chart and the glossary.

The first data collection instrument is the text analysis chart. This chart is important since it will represent elements of analysis from Newmark (seen in chapter II). The reviews of the target translation text to make sure all of these aspects are considered.

Table 1

Text analysis element	**From Faith to Action**	**International Standards for the Protection of Digital Privacy**
Text Style		
Stylistic Scale of Formality		
Stylistic Scale of Generality		
Stylistic Scale of Emotional tone		
Text Function		
Type of Translation		

Table 1 shows the instrument that the researcher will use to analyze the texts under study. Source: Researcher´s own creation.

The second instrument is the glossary which was the last section of the second chapter of the thesis. A glossary represents an important piece of information since it will provide us with vocabulary and words that may be useful at any point of a work.

People at different companies or jobs may incur in the mistake of doing rework in a special project without noticing that they may ease their tasks by having a glossary at hand.

According to Lionbridge (2013), a glossary is a tool or document that helps mitigate the consistency problem. It may also be referred to as a lexicon, term base, and terminology collection.

There will be two glossaries; one from English into Spanish, and one from Spanish into English with a column for the English term, the Spanish term, the grammatical category and a definition to have a better understanding of the word.

Table 2

English Term	Spanish Term	Grammatical Category	Definition

Table 2 shows the instrument that the researcher will use to create the glossary from English into Spanish. Source: Researcher´s own creation.

As the last instrument, the researcher will use the color-coding chart which will be related to the translation techniques. This table will register the number of times a specific technique appears in the text from Spanish into English and from English into Spanish and it will also specify the translation techniques this research will focus on. The color coding chart will also have two columns with the number of instances of each technique, so that at the end of the research the results show which translation technique is presented in the texts.

The techniques will have 6 different colors, in this case modulation is blue, transposition is green, then omission is underlined, amplification is red, explicitation is orange and literal translation is purple. These colors were chosen to take into account that the translator will use each color in the texts to highlight the technique that is used in order to facilitate the translation process.

Table 3

Technique	**Color**
Modulation	
Transposition	
Omission	______
Amplification	
Explicitation	
Literal Translation	

Table 3 shows and describes how each translation procedure will be identified in the color-coding. Source: Researcher´s own creation.

Chapter IV

Translation Texts

4.1 English into Spanish Translation

De la fe a la acción

Una llamada para ayudar

Fortaleciendo la familia y la atención de la comunidad para los niños huérfanos y vulnerables en el Sahara Sur de África.

África está siendo destrozada por el VIH /SIDA y los niños están pagando los precios más altos

Mientras el VIH /SIDA toma la vida de madres y padres en el Sahara Sur de África, millones de niños pierden una fuente importante de apoyo, guía y amor incondicional. Por cada niño huérfano, muchos más están vulnerables debido a que los miembros de la familia se enferman, los recursos vitales se agotan y los mismos niños están en riesgo de infectarse de VIH /SIDA. En una región donde más de la mitad de la población vive con menos de un dólar por día y el acceso a los medicamentos para salvar vidas es limitado, el impacto de VIH /SIDA en los niños y familias es devastador.

Cerca de 12 millones de niños menores de 18 años de edad en el Sahara Sur de África han perdido uno o ambos padres por el VIH /SIDA. El número total de niños en el Sahara Sur de África que han quedado huérfanos por cualquier causa, incluyendo hambruna, enfermedad, conflictos y VIH /SIDA es mas de 40 millones. Esto es una crisis de huérfanos sin precedente histórico. La mayoría de estos niños continúan viviendo con su padre o madre que ha sobrevivido o con algún otro miembro familiar. Muchas de estas familias están viviendo en pobreza y están luchando para proveer. Esta crisis hace un llamado para una base amplia y respuesta compasiva que ayude a las familias y comunidades a conocer las necesidades de los huérfanos y niños vulnerables.

La gente de fe está llamada a ayudar

Los grupos religiosos tienen un profundo compromiso de servir a los pobres, los enfermos y los vulnerables. Las enseñanzas de todos los tipos de fe llaman a los individuos a responder al sufrimiento humano y a la necesidad de los niños vulnerables. Como donantes y proveedores de servicio directo, las personas de fé tienen un rol critico para actuar y dirigir la crisis del VIH /SIDA y su impacto en los niños de África. La pregunta que todos nosotros nos debemos hacer es ¨ ¿Cómo podemos responder en maneras que mejor ayuden a las necesidades de los niños y los derechos mientras se dirige los desafíos inmensos que presenta la pobreza y el VIH /SIDA? ¨

¿Quiénes son los huérfanos y los niños vulnerables?

Nosotros usamos la frase ¨huérfanos y niños vulnerables¨ para describir a todos aquellos niños quienes han perdido uno o ambos padres de cualquier causa o han sido determinados por los miembros de la comunidad por estar en gran necesidad. En el caso de VIH /SIDA, los niños enfrentan a menudo las mayores dificultades antes de que se conviertan en huérfanos; esto porque sus padres se enferman mucho como para cuidar de ellos. Cuando los programas apuntan solo a ¨los niños huérfanos con SIDA¨, crean problemas de privilegiar y estigmatizar a los niños que están recibiendo los servicios. Es importante para las organizaciones evaluar y asistir a todos los niños con serios traumas, como los niños que viven en pobreza extrema, huérfanos por otras causas, cuidados por padres enfermos o los que sufren de enfermedades o discapacidades.

¿Es la respuesta construir más orfanatos?

El número total de niños huérfanos y vulnerables es abrumador. Muchos están financiando orfanatos como una solución al problema. Sin embargo, los orfanatos son caros y solo pueden alcanzar para una cantidad pequeña de niños. La investigación de ¨The World Bank in Tanzania¨, por ejemplo, encontró que el costo de manejar orfanatos es seis veces mayor que el costo del cuido de niños en la comunidad. Más importante aún es que los orfanatos separan a los niños de la familia y la vida en la comunidad. A menudo ellos fallan al cumplir con las necesidades de desarrollo de los niños y no los preparan para una vida adulta en una sociedad más grande.

Mientras las instituciones pueden servir como una respuesta temporal y última para los niños que no tienen ningún otro medio de ayuda, estas no son recomendadas para una solución a largo plazo. Las soluciones más prometedoras deberían buscar más alternativas sostenibles que se enfoquen en prevenir las condiciones que guíen a la necesidad para la atención institucional.

Muchos países africanos y organizaciones internacionales reconocen la falta de orfanatos y disuaden su uso. Ellos reconocen que los niños pueden ser ubicados en orfanatos por miembros de familia quienes quieren cuidar de ellos, pero no tienen los medios para hacerlo.

Los orfanatos se pueden convertir en una manera para tener acceso a comida, ropa y educación; cuando lo que es realmente necesario es hacer que estas necesidades sean disponibles dentro de la comunidad. Cuando un orfanato es tratado como la primera solución, esto puede debilitar la motivación de una comunidad para dirigir las situaciones y desviar recursos de las soluciones de familia que son mejores para los niños.

La red de seguridad familiar y comunal necesita ayuda

Una amenaza común que existe a lo largo de las diversas culturas de África es que los miembros de la familia tienen que hacerse cargo y proveer a los huérfanos con una crianza en casa y una familia, las cuales los niños necesitan para crecer con adultos saludables. Dado la escala y la extensión de la pandemia del VIH/SIDA, es notable que la mayoría de los niños que han estado en un orfanato continúen siendo atendidos por los demás miembros de familia. Pero esta red de seguridad se está volviendo menos confiable mientras más y más ayudantes mueren. Los recursos de la familia y la comunidad son estrechados hasta el punto de quiebre y están en necesidad de ser ayudados.

Ayudando a la familia a la atención de la comunidad

La familia es la fuente más importante de amor, atención, ayuda emocional, sustento material y guía moral en la vida de un niño. La cosa más importante que las organizaciones basadas en la fe pueden hacer es ayudar a asegurar que cada niño tenga una familia que sea capaz de proveer la alimentación y atención que cada niño necesite.

Los niños crecen mejor en familia

Los niños que son cuidados en familias dentro de las comunidades son más probables que luchen más que aquellos que son criados en orfanatos. Los niños que crecen en familias generalmente reciben el tipo de amor, atención y cuidado esencial para su bienestar. La vida diaria y las relaciones cercanas con una familia colocan la fundación para el desarrollo emocional y social para un niño, la autoimagen y el sentido de pertenencia. Mientras los niños interactúan con miembros de sus quehaceres y una comunidad más amplia, ellos absorben los patrones y los valores de su cultura y desarrollan el lenguaje, vestuarios y habilidades que ellos necesitarán en sus vidas futuras como adultos.

Las respuestas fundamentales fortalecen las familias y las comunidades

La mejor manera para servir a los niños vulnerables es fortalecer la capacidad de las familias y comunidades para atenderlos. Los otros miembros de la familia y demás ayudantes en la comunidad quienes están dispuestos a tomar a menudo en los niños la falta de recursos para hacerlo.

Muchas fundaciones y organizaciones de la comunidad dirigen la situación en proveer ingresos para ayudar a alcanzar la parte material, educacional y necesidades emocionales de los niños.

Estas soluciones locales ayudan a asegurar que cada niño tenga una familia, mientras se protege también a los niños del maltrato o abuso. Cuando la red de seguridad de atención es fortalecida, menos niños son rechazados, abandonados o ubicados dentro de cuidado institucional.

Las soluciones fundamentales ayudan a las comunidades a dirigir sus propias necesidades

Los esfuerzos fundamentales para ayudar a los niños y familias movilizan recursos locales, inspiran propiedad comunitaria y construyen la fortaleza de la comunidad en una variedad de maneras. La mayoría de las comunidades y organizaciones han apoyado con presupuesto mínimo para pagar el personal. Motivado por la compasión, la gracia y ver niños con necesidad de ayuda, voluntarios y a menudo vecinos y miembros de la comunidad mismos, son la columna vertebral de muchos esfuerzos fundamentales. Muchos voluntarios también son pobres y es importante asegurar que reciban oportunidades de entrenamiento, reconocimiento y otros tipos de ayuda.

Muchas organizaciones diferentes ayudan a los niños y familias

Las respuestas fundamentales varían grandemente en su tamaño y el campo y escala de sus servicios. En su forma más simple, las organizaciones de la comunidad son pequeños grupos informales que se han reunido para dirigir una necesidad local. Entre ellas están los muchos cientos de grupos y congregaciones que están dando asistencia a los niños vulnerables en sus comunidades. Mientras los grupos se expanden, ellos podrán contratar personal y buscar financiamiento. Los grupos locales pueden recibir ayuda a través de sus redes religiosas en el distrito, nacional y a niveles internacionales. Además, un gran número de organizaciones no gubernamentales en crecimiento trabajan cerca con las comunidades para alentar y ayudar los esfuerzos locales. Colectivamente este diverso grupo de organizaciones está trabajando a nivel primario para asegurar que cientos de miles de niños reciban soporte y se mantengan en cuidado familiar.

Los programas locales crecen en respuesta a las necesidades reales

Examinando que tan diferente identifican prioridades los grupos comunitarios y basados en la fe, se demuestra que no hay una sola manera correcta de hacer las cosas. Los problemas son mejor manejados cuando la gente directamente se compromete en una situación donde desarrollan sus propias soluciones, mientras también son capaces de crear prácticas exitosas con otros recursos. Los acercamientos y actividades usados varían cuando cada grupo determine la forma de asistencia que mejor conozca las necesidades de la población. Muchos grupos empiezan por proveer un tipo de asistencia y luego agregan servicios que necesiten.

Una variedad de actividades ofrecen los mejores resultados

Los grupos de ayuda social y los grupos basados en la fe, proveen diferentes programas y actividades para fortalecer la familia y el cuido de la comunidad de los huérfanos y niños vulnerables. Mientras cada grupo de individuos puede servir como una pequeña población, la fuerza colectiva de estas iniciativas locales es muy buena.

Las siguientes páginas resaltan un rango de estrategias que han demostrado ser efectivas. Las historias y ejemplos de las organizaciones que están haciendo una diferencia en la vida de los niños dan una ilustración de las estrategias en acción.

Hacer de los niños una prioridad

La comunidad y los grupos de fe inspiran a otros a tomar acciones a través de hacer conciencia acerca de las necesidades de niños vulnerables. A pesar del impacto agobiante del VIH/SIDA, muchos individuos están anuentes a dar un paso adelante y ayudar cuando les sean dados la información necesaria y el soporte.

Un acercamiento común es formar orfanatos y comités de cuido para huérfanos y niños que traigan consigo juntos una sección de la comunidad o miembros de las congregaciones para identificar niños en necesidad y desarrollar un plan de acción.

Esfuerzos en conjunto fortalecen respuestas

Las organizaciones comunitarias que mueven acciones para los niños incrementan su oportunidad y efectividad cuando trabajan juntos con otros grupos. Algunas organizaciones basadas en la fe juegan un rol de liderazgo en crear respuestas interdenominales. Estos esfuerzos proporcionan a las congregaciones locales y grupos con mayor acceso a la información, recursos y otros tipos de soporte.

El conocimiento informa a la acción responsable

Cuando la gente cree que VIH/SIDA es contraído por un simple contacto social o que es causado por una maldición del demonio**,** ellos están a menudo temerosos de traer o de asistir con niños que han perdido a sus padres por la enfermedad.

Una vez que la gente es educada acerca del VIH/SIDA y motivada para discutir abierta y honestamente, los niños afectados por el VIH/SIDA tienen más probabilidad de ser aceptados y cuidados. La comunidad y los grupos basados en la fe dirigen este problema en una variedad de maneras.

Muchos trabajan para reducir el estigma estableciendo conciencia y campañas de prevención, así como de ayuda para las personas que viven con VIH/SIDA. Un número creciente de grupos proporciona vida familiar y educación sexual humana. Trabajando dentro de la cultura y valores de las comunidades, ellos usan educadores de grupo para promover la prevención y dirigir los mitos acerca de VIH/SIDA. Estos programas, ayudan a asegurar que los niños y sus familias reciban la aceptación y soporte crucial para su sobrevivencia.

Habilitando a la juventud

La juventud, especialmente las mujeres jóvenes, están en un alto riesgo de ser afectadas con VIH/SIDA. La participación juvenil es crucial para el éxito de los esfuerzos de la comunidad para crear conciencia, reducir la discriminación, aumentar las pruebas voluntarias del VIH y animar a las conductas responsables que ayuden a prevenir el esparcimiento de la enfermedad.

Los jóvenes son los mejores en llamar o acercarse a otros jóvenes. La comunidad y las organizaciones basadas en la fe están promoviendo el desenvolvimiento de la juventud a través de programas de grupos de educación, consejo, campañas de concientización guiada a los jóvenes y entrenamiento de liderazgo juvenil.

Solicitando a los asistentes para que ayuden a los niños

La pobreza previene a las familias de su capacidad para adoptar niños con alguna necesidad. Muchos grupos de la comunidad y grupos basados en la fe crean actividades que generan ganancia para los asistentes, ofreciendo préstamos de micro créditos y de entrenamiento para negocios pequeños. Algunos de los programas más exitosos son locales y administrados con la ayuda de organizaciones no gubernamentales o profesionales especializados en micro finanzas. Estos programas, proporcionan a los asistentes las habilidades y capital de inicio para involucrarse en el sustento que ayudará a alimentar, vestir y pagar las cuotas de la escuela a los niños bajo su cuido.

Otras organizaciones proporcionan suministros como semillas, herramientas y ganado a las familias en áreas rurales. Congregaciones y organizaciones proporcionan recursos de material tales como: comida, sábanas o cobijas, así como ropa a las familias cuyo cabeza de familia esté muy enferma o muy vieja para trabajar.

Muchos programas reclutan a voluntarios de las comunidades para que ayuden a construir o reparar casas y trabajar en los jardines de la comunidad.

Educación vocacional para la juventud

En el momento en que los padres se enferman y mueren, sus hijos e hijas mayores a menudo deben de tomar la responsabilidad de proveer a sus familias. La comunidad y las organizaciones basadas en la fe asisten a los jóvenes con las herramientas para la sobrevivencia económica e independencia, ofreciendo educación vocacional, aprendizaje profesional y habilidades de entrenamiento.

Ayudando a los hogares de niños al frente de la familia

La necesidad de mantener la propiedad de una familia y a los hermanos juntos después de que sus padres mueren, a veces resulta en tareas del hogar que son guiadas por los jóvenes. Sin embargo, los hogares que son mantenidos por jóvenes son de alguna manera raros. Estas familias son especialmente vulnerables y requieren protección y ayuda extra.

Además del entrenamiento de educación vocacional y asistencia con ganancias y mantenimiento, estos jóvenes necesitan ayuda para lidiar con cargas emocionales y sociales de las pérdidas y las responsabilidades extra que ellos tienen que tomar.

Las casas cuido reducen la carga en el mantenimiento

Las personas que están enfermas por el VIH/SIDA son vulnerables al aislamiento social, depresión y a la inhabilitación para cuidar a su familia con las necesidades básicas. Los niños son usualmente forzados a dejar la escuela y cuidar a sus padres moribundos.

Una amplia respuesta son las casas de cuido que proveen a los voluntarios entrenados a visitar las casas de los enfermos. Las casas de cuido orientadas en el centro familiar se enfocan en las necesidades de las tareas enteras del hogar, incluyendo a los niños.

Los voluntarios de las casas de cuido asisten con un rango de necesidades, incluyendo la preparación de la comida, tareas del hogar, higiene y cuidados médicos básicos. Ellos enseñan a los miembros de la familia como cuidar a los enfermos mientras se protegen ellos mismos del riesgo de la infección.

Ofrecen ayuda emocional y espiritual a los que sufren, alivian a los jóvenes para que asistan a clases, monitorean las necesidades de los niños dentro del sustento que ellos sirven.

Los trabajadores de las casas de cuido son también bien acomodados para ayudar a los padres a hacer planes de cómo y quiénes van a cuidar a sus hijos después de sus muertes.

Prolongando la vida de las personas que viven con VIH

El tratamiento antiviral, que se ha vuelto ampliamente disponible en África, es crítico para prevenir la trasmisión de madre a hijo y tratar la infección. Hasta entonces, las tasas de mortalidad relacionadas al VIH/SIDA seguirán en crecimiento con una alarmante cifra, dejando los números en aumento de los niños huérfanos, en necesidad de cuido y en riesgo de infección del VIH.

La comunidad y los grupos basados en la fe pueden participar en un rol muy importante a nivel local en el fomento de los medicamentos salvavidas. Pueden educar a la población a movilizar la defensa para el acceso del tratamiento, identificar a la gente con mayor grado de necesidad de soporte de tratamiento inmediato, y ayudar a asegurar a la gente que recibe el tratamiento a adherirse al régimen recomendado. Usualmente proveen soporte emocional necesitado para hacer que el tratamiento sea más exitoso.

Además, asocian a las personas viviendo con VIH con los de las clínicas de salud locales que ofrecen ayuda nutricional y suministros medicinales para tratar enfermedades como neumonía, tuberculosis, diarrea y malaria.

Dirigiendo las necesidades de los asistentes ayuda a los niños a permanecer en familias

Es difícil para los asistentes, trabajar o asistir a la escuela, cuando están protegiendo a los niños jóvenes o que tienen necesidades especiales. Los asistentes, quienes son mayores o están enfermos, requieren descanso.

Los programas de jornada diurna proveen a los asistentes con el tiempo para asistir a otras necesidades mientras dan a los niños oportunidades de jugar y aprender. Los grupos de soporte dan a los asistentes la oportunidad de compartir sus trabajos y aprender acerca de cómo mejorar, a partir de conocer las necesidades emocionales y de desarrollo de los niños. Los programas que ayudan a suavizar la carga de los asistentes reducen el riesgo de que los niños sean rechazados, abandonados, o puestos en un orfanato.

Ayudando a los niños a mantenerse en la escuela

Una educación es un futuro de un niño. Uno de los más angustiantes efectos del VIH/SIDA es el incremento del número de los niños que deben salir de la escuela porque sus padres o asistentes no pueden pagar las cuotas de la escuela. Aún en los países africanos donde la educación primaria es gratis, el costo de los uniformes, cuadernos, accesorios, y cuotas de exámenes, todo lo necesario para participar, está más allá de los medios de las familias empobrecidas.

El costo de la escuela secundaria es más alto, y en muchas regiones a menudo acarrea cuotas de pensión. Los niños que no están en la escuela, están en un mayor riesgo de infectarse del VIH, de sufrir explotación laboral, y abandono.

Los padres y asistentes a veces ubican a los niños en orfanatos como una manera de acceso a la educación. Las organizaciones de la comunidad ayudan a los niños a mantenerse en la escuela, cubriendo los costos de las cuotas de la escuela, uniformes, y libros, también, negociando con escuelas locales para reducir o eliminar cuotas. El hambre y la angustia emocional también pueden impedir a los niños participar en la escuela. Los programas toman un acercamiento más completo o grupal que proveen a los niños con comida y consejería que necesitan para ser capaces de aprender.

Protegiendo el derecho de las mujeres a la educación

Las mujeres pueden sufrir la pérdida de educación debido al crecimiento de las responsabilidades de cuido o asistencia de la casa. Los programas que ayudan a mantener a las mujeres en la escuela reconocen que entre más educación tenga la gente joven, más van a evadir la infección o contagio del VIH.

¨Yo estoy donde estoy hoy por ¨The Girl Child Network¨, que creyó en mí y me apoyó para salir adelante con mi educación. Yo pienso que educar a muchachas como yo, es importante porque no solo ayuda a una persona, afecta la vida de mis hermanos, otras mujeres en la villa, y futuras generaciones de mujeres que creen en ellas mismas y saben que ellas pueden dar más por ellas mismas, sus familias, y sus hijos.¨- Dicho por una niña o muchacha que recibió ayuda en su escuela a través de ¨The Girl Child Network of Zimbabwe¨.

Escuchando las necesidades sociales y emocionales de los niños

Los huérfanos y los niños vulnerables tienen necesidades emocionales y sociales que pueden ser devastadoras si son dejadas insatisfechas. Ellos necesitan ayuda para lidiar con el trauma de ser testigos de la muerte de sus padres y la posible separación de sus hermanos. Muchos jóvenes enfrentan responsabilidades agobiantes en la familia después de que sus padres no estén.

Los niños menores requieren ayuda extra para recuperar de nuevo su sentido de seguridad. Los grupos de la comunidad y las organizaciones basadas en la fe cumplen un rol crítico en la ayuda al proceso de sanación y nutriendo la adaptación al cambio.

Los grupos de duelo, consejo, y ayuda grupal, les dan a los jóvenes la oportunidad de expresar sus sentimientos y de hablar con otras personas en situaciones similares. Traer grupos unidos a orar, cantar, y adorar; ofrece renuevo espiritual y ayuda. Recreación, deportes, y programas de arte; permiten a los niños a jugar y aprender. Los niños necesitan diferir de acuerdo a su desarrollo, y los mejores programas se adaptan a sus necesidades en las edades y etapas de los niños a los que ellos sirven.

Demandando su historia personal

Los niños que pierden a sus padres, también pierden una conexión vital con su historia personal y herencia. La salud emocional y espiritual de un niño es ayudada cuando los padres son capaces de compartir sus memorias, historia familiar, y deseos a futuro con sus niños antes de que mueran.

Muchos grupos usan libros de memoria o cajas, historias de colección, recuerdos familiares, y otros artículos como herramientas de iniciación y un diálogo honesto entre los padres y los hijos. Los libros de memoria ayudan a los padres a dar instrucciones claras de protección y distribución de propiedad después de que ellos mueran; además de proveer a los niños con la oportunidad de hablar de sus miedos, esperanzas, y preferencias para su futuro cuido.

Es vital que los niños tengan un derecho en su decisión acerca de dónde y con quién van a vivir si sus padres no son capaces de cuidar de ellos. Las opciones que escogen los niños están basadas a menudo en los sentimientos de ser amados y aceptados; mientras los adultos están a menudo más preocupados acerca de un potencial ayudante con la habilidad de conocer las necesidades materiales.

Escuchar a los niños

Es importante escuchar a las voces de los niños, responder a sus preocupaciones, e involucrarlos en sus decisiones que afecten sus vidas. Los niños son ¨los expertos de sus propias vidas¨ y a menudo traen ideas valiosas, información, y puntos de vista que los adultos pueden pasar por alto. Cuando los niños son incluidos en la toma de decisión, sienten un mayor sentido de propiedad y están menos temerosos acerca de lo que vendrá en el futuro.

Los programas más efectivos reconocen el derecho de los niños a participar in maneras apropiadas a su edad y madurez. Las organizaciones de la comunidad fomentan la participación al incluir a los jóvenes en los roles de liderazgo, proveyendo maneras o formas a los niños para compartir sus observaciones y opiniones; y ser sensible a las necesidades expresadas por los mismos niños.

Lo que los niños esperan

El centro Denanai en Zimbabue instó a 112 huérfanos y niños vulnerables participar en una sesión de lluvia de ideas. Además de comida, ropa, techo, y honorarios de escuela; los niños expresaron las siguientes necesidades:

- Ser aceptados y amados como otros niños.
- Jugar

- Ir a la escuela como los otros niños
- Que no se rían de ellos por la ropa pobre que usan
- Que no les roben sus pertenencias cuando sus padres mueran.

Prevenir la discriminación de género y violencia

En los países africanos, el VIH/SIDA afecta desproporcionadamente a las niñas y mujeres. En las regiones más afectadas, 5 niñas son infectadas por cada uno en el caso de los niños entre las edades de 15 y 19. La injusticia social y sus roles como ayudantes ponen a las niñas en mayor riesgo de abandonar la escuela. La dependencia económica baja el estatus en la sociedad y los hace más vulnerables a la explotación, matrimonio temprano, abuso sexual, y a la infección del SIDA. Las muchachas o niñas que han sido huérfanas están en un riesgo especial. Muchos grupos comunitarios generan conciencia sobre estas problemáticas y trabajan para fortalecer y proteger los derechos de las muchachas y mujeres. Ellos les dan a las niñas y a las jóvenes mujeres las herramientas para resistirse al sexo inseguro y al abuso sexual. Algunos programas ofrecen refugio, tratamiento médico, consejería consejo legal a niñas que han sido abusadas.

Asegurando el bienestar de los niños

La comunidad y las organizaciones basadas en la fe juegan un papel muy importante en la ayuda de la seguridad y el bienestar de los niños dentro del cuidado familiar. Ellos pueden ayudar a proteger y monitorear el fomento de los lugares de la familia para asegurar que los niños no sean maltratados o rechazados. Los talleres y entrenamientos en habilidades de paternidad, ayudan a los colaboradores a entender mejor y conocer las necesidades de los niños.

Las campañas de concientización en las escuelas, iglesias, y otros centros comunitarios apuntan a reconocer y prevenir el abuso infantil, ayudan a hacer de la protección de los niños una responsabilidad y preocupación compartida. Mientras que el cuido de los niños o de su mayoría a menudo caen en los hombros de las mujeres, es también vitalmente importante nutrir o alimentar los roles de los hombres como colaboradores, profesores, y mentores.

Proteger los derechos legales de los niños resguarda su futuro

Los niños huérfanos están en un alto riesgo de ser separados de sus hermanos, perdiendo sus derechos a la educación y a la propiedad de la familia; además de ser maltratados por colaboradores que no tienen las mejores intenciones. Algunos grupos dirigen estos riesgos ofreciendo programas que ayuden a ambos adultos y niños a entender y a proteger sus derechos legales.

Ellos pueden ayudar a los padres a escribir los testamentos o registrar testamentos hablados para asegurar el mejor cuidado posible para sus niños después de sus muertes. Algunos grupos ayudan a los niños a conseguir la identificación legal que necesitan para proteger sus derechos a los territorios de la familia y a una educación. Pueden encaminar o guiar a los niños a través del proceso legal de reporte y abuso de persecución; o ayudar a las familias a ingresar a los servicios sociales a los cuales están autorizados.

Algunas organizaciones se comprometen en la defensa para cambiar aduanas locales y nacionales; y en promover leyes para asegurar que los niños reciban la protección, educación, y el cuidado que es el derecho de cada niño.

Cada una de las actividades descritas en las páginas ilustra una o más de las siguientes doce estrategias que aportan a los huérfanos y niños vulnerables. Estas estrategias se basan en los principios que han acordado y patrocinado por una amplia constitución de la comunidad y las organizaciones basadas en la fe, fundaciones, y agencias internacionales que sirven a los niños. Funcionan como una guía a la ¨mejor práctica¨ para aquellos quienes financian o implementan respuestas a los niños más necesitados.

1) Enfocarse en los niños más vulnerables, no solo en aquellos que son huérfanos y están contagiados por el VIH/SIDA.
2) Fortalecer la capacidad de las familias y las comunidades para cuidar a los niños.
3) Reducir el estigma y la discriminación.
4) Ayudar en la prevención y concientización del VIH/SIDA, particularmente en la juventud.
5) Fortalecer la habilidad de los colaboradores y jóvenes para ganarse el sustento.
6) Proveer o facilitar material de apoyo a aquellos quienes están muy mayores o enfermos para trabajar.
7) Asegurar la entrada al cuidado médico, medicamentos salva vidas, y cuidado en casa.
8) Proveer cuidado diario y otros servicios de apoyo para suavizar la carga a los colaboradores.
9) Ayudar o colaborar con las escuelas y asegurar acceso a la educación, tanto para niños como para las niñas.
10) Respaldar las condiciones sociales o mentales, tanto como el material, y las necesidades de los niños.

11) Comprometer a los niños y jóvenes en las decisiones que pueden afectar sus vidas.
12) Proteger a los niños de abuso, discriminación de género, y explotación laboral.

Cuidado institucional: Una respuesta temporal

El propósito de esta publicación es crear conciencia acerca de la importancia de las soluciones de la familia y las grupos de la comunidad para los problemas que enfrentan los niños huérfanos y vulnerables. Esperamos conmover a donantes, organizaciones de grupos basados en la fe, y otros grupos de confianza en orfanatos; los cuales no son capaces de dirigir la escala de crisis de huérfanos en África y a menudo fallan en reconocer las necesidades de desarrollo a largo plazo en los niños. Al mismo tiempo, nosotros reconocemos que el cuidado institucional es a veces necesario como una respuesta temporal o como un último recurso de para los niños vulnerables quienes no tienen otros medios de ayuda.

En esta sección, nosotros exploramos algunas de las maneras en que el cuidado institucional puede mejorar a conocer las necesidades de los niños. Los donantes tienen un rol importante para cumplir en la ayuda de esos esfuerzos.

Instituciones como casas transicionales para los niños vulnerables

Las instituciones pueden ofrecer cuidado transicional a corto plazo para niños especialmente vulnerables, les ofrece un hogar seguro y provee necesidades inmediatas mientras las búsquedas son hechas por un cuidado familiar confiable. Los niños, quienes no tienen ningún lugar donde ir, están viviendo en las calles, son víctimas de violencia física o sexual, o han sido abandonados porque tienen discapacidades o están enfermos con VIH/SIDA, estos a menudo necesitan este tipo de cuidado transicional.

Una vez que la crisis de intervención y tratamiento para ayudar a la recuperación son proveídos, cada esfuerzo deberá ser hecho para mantener lugares de instituciones a corto plazo.

Cuidado residencial basado en los modelos de la familia

Los orfanatos que sirven a un gran número de niños en un solo hogar o área, no son capaces de proveer el cuidado individual que los niños requieren. En un esfuerzo para dirigir esto, algunas grandes instituciones están transicionando en grupos de hogares o casas más pequeños como modelos de vida familiar. Los niños viven en pequeños grupos de mediana edad con sustento y entrenamiento en paternidad, por quienes son capaces de proveer más cuidado personal y consistente.

Fuera de los orfanatos a la comunidad

En algunas regiones y comunidades, los esfuerzos están siendo hechos para reemplazar a los orfanatos con el cuido básico familiar. Los recursos que fueron una vez usados para mantener a instituciones son ahora usados para reunir a los niños con sus familias y, cuando esto no sea posible, para reclutar, entrenar y monitorear el fomento paternal. Los jóvenes de mayor edad se le proveen con asistencia en áreas como entrenamiento vocacional y establecimiento de sustento para ayudarlos a ganar independencia en la comunidad.

De la respuesta a la prevención

Un número creciente de orfanatos está tomando un doble acercamiento, ofreciendo un último recurso como cuidado de residencia a un limitado número de niños mientras se comprometen también en esfuerzos más amplios para prevenir institucionalización a través de una variedad de actividades. Ellos trabajan con villas alrededor y comunidades para fortalecer el soporte básico familiar para los huérfanos y los niños vulnerables, asegurando que menos niños tendrán la necesidad de ser ubicados en cuidado institucional.

Fortaleciendo lazos comunitarios

Independientemente de su tamaño o estructura, es importante para instituciones existentes, traer a la comunidad a la vida de los niños que ellos sirven. Por ejemplo, los niños pueden asistir a las escuelas vecinas; participar en celebraciones locales y eventos; interactuar con voluntarios de la comunidad y mentores; y comprometerse en aprendizajes y otras actividades. Cuando los huérfanos fortalecen lazos de estas maneras, los niños se preparan mejor para la vida afuera de la institución; así como ha aumentado el potencial para familias locales a abrir sus hogares ha aumentado.

La mayoría de instituciones, a lo largo del globo, prepara gente joven para una vida independiente en una comunidad más amplia. Los niños necesitan ambos, la calidad del cuidado personal para que ellos sientan un sentido de auto-valor y auto-confianza, así como oportunidades y experiencias en las cuales se les permita adquirir un rango social, vida y habilidades vocacionales para permitirles sobrevivir en el mundo del trabajo y vida independiente. –David Tolfree, Roofs and Roots.

Si usted está considerando financiar un orfanato…

Evaluar el orfanato para una admisión cuidadosa de procedimientos y estándares básicos de cuidado (ver recursos). Preguntarse si cada esfuerzo se hace para encontrar familiares antes de que un niño sea admitido. Trabajar en asociación con el orfanato para animar y financiar esfuerzos para la transición de niños al cuidado familiar y fortalecer lazos comunitarios. Ayudar a asegurar el cuidado apropiado de desarrollo y protección contra el abuso. Sea sensitivo con el hecho de que enviar a grandes grupos de voluntarios para servir como ¨staff rotatorio¨, puede interferir con las necesidades de los niños para ayudantes o voluntarios consistentes.

Yo estaba visitando un orfanato que recibía visitas frecuentes de iglesias americanas y británicas. A través de mi estadía, niños de todas las edades estaban buscando ayuda emocional, psicológica de los foráneos como yo. Sosteniendo nuestras manos, y a veces aferrándose a nosotros.

Yo estaba preocupado porque los niños quienes se han formado con enlaces saludables, son usualmente más precavidos con los extraños. También me preocupo acerca de lo fácil que es que los niños que han crecido con una sucesión de ayudantes temporales puedan ser explotados.

-Geoff Foster, Pediatrician, Zimbabwe

Cuando los huérfanos dan un paso en los lugares de la familia y se comprometen con la comunidad, requieren a menudo soporte de donadores. Su cambio en el enfoque requiere personal adicional, entrenamiento y servicios de programa. Una vez que los niños han sido reubicados en la comunidad, los costos para ayudarlos son grandemente reducidos.

Como dirigir sus recursos

Ayudar al cuidado de las familias y comunidades para huérfanos y niños vulnerables requiere una respuesta pensativa y respetuosa de parte de los donadores.

Las organizaciones y los grupos de fe que sirven a los niños varían grandemente en su nivel de capacidad, rango de programas y necesidades de financiamiento. Una vez que se establezcan con un pista de record de trabajo efectivo, más una fuerte capacidad administrativa, están en una posición sólida para recibir soporte de afuera. Hay muchas maneras para donar a las organizaciones, trabajando a nivel de comunidad donde cada donación cuenta. Los siguientes párrafos ofrecen algunas sugerencias para guiar a la donación.

Donar a través de intermediarios experimentados

Es mejor conducir las donaciones a través de organizaciones mediadoras envueltas con comunidades, cuidando de huérfanos y niños vulnerables. Esto asegura que lo que el donante está dando efectivamente ayude y construye esfuerzos locales. Los donadores pueden dar a fundaciones y agencias internacionales que proveen becas y otros recursos a comunidades y grupos basados en la fe que sirven a los niños. Una lista de fundaciones y organizaciones no gubernamentales que aceptan donaciones para ayudar este trabajo es proveído al final de este documento. Los donadores de grupos basados en la fe también pueden contactar a las oficinas nacionales o regionales de su región, u otros cuerpos coordinadores en las comunidades de la fe para ser conectados con organizaciones africanas dentro de sus redes.

Las siguientes líneas están dirigidas para ayudar a los donantes de las organizaciones intermediarias o guiar su acercamiento a dar directamente para asegurar que la contribuciones tengan el mayor impacto ayudando a la familia y a los grupos comunitarios.

Ayudar al liderazgo local y propiedad comunitaria

Es esencial para los donantes respetar el liderazgo local y propiedad comunitaria si las comunidades están para desarrollar la capacidad de dirigir sus propias necesidades. Los grupos locales saben muy bien cómo ayudar a los niños y a las familias en sus comunidades, así como divisar soluciones creativas que donantes extranjeros no hubieran considerado. Muchos grupos de afuera e individuos tratan de abastecer de comida y medicamentos directamente a comunidades sin ninguna consulta previa.

A menos que esta sea una necesidad expresada, no es siempre útil. Ser responsable con las prioridades que son determinadas a nivel local ayuda a asegurar que los financiamientos y otros recursos sean usados de la mejor manera posible. Cuando el donante ayuda con los subsidios, los programas que son verdaderamente dueños de la comunidad, son los que tienen mayor probabilidad de sobrevivir.

Para aquellos en necesidad

Tomar riesgos responsables cuando se establecen nuevas sociedades

Si una organización tiene un plan de acción, una pista record de actividades y un cuerpo de voluntarios; esa organización es un buen candidato para financiamiento, inclusive si nunca antes ha recibido fondos externos. Revisar actividades propuestas y presupuestos, consultar con las personas respectivas que puedan testificar para la organización. Conducir visitas al sitio o lugar, son todas buenas maneras para evaluar a un grupo comunitario para el financiamiento.

El pequeño inicio del primer año puede ayudar a un donador para ver cómo una organización manejará nuevos fondos. Una vez que la relación es establecida, el financiamiento multi-año le permite a una organización planear a tiempo y construir en él programas.

Financiamiento en cantidades que le dan sentido para una comunidad

Los donantes tienen que ser sensitivos a la habilidad de las organizaciones de la comunidad para absorber y utilizar los fondos. El tamaño de los fondos debe encajar a las necesidades actuales y capacidades de gerencia de la organización. Pequeñas becas de $500 y $5000 pueden hacer una diferencia tremenda para organizaciones emergentes. Así como las organizaciones crecen, ambas, la capacidad administrativa y su rango de programas o números servidos, se vuelven capaces de manejar becas más grandes.

Financiar es más que solo proyectos de costos

Es difícil ejecutar programas efectivos cuando todos los fondos de afuera son restringidos solo para servicios directos. Mientras las organizaciones crecen, necesitan dinero para pagar la renta, utensilios, salarios del personal, suministros de oficina, asistencia con gastos de capital, como computadoras y costos de oficio; pueden ayudar a una organización a expandirse. Estos gastos deben mantenerse balanceados en relación con el programa de costos, pero cubriendo al menos algunos gastos capitales y administrativos, permitiendo a las organizaciones enfocarse más efectivamente en asistir a aquellos en necesidad.

Proveer ayuda para documentación y monitoreo

Las organizaciones necesitan ser capaces de documentar sus programas, resultados y lecciones aprendidas, para que puedan monitorear su progreso y compartir su trabajo con los compañeros de grupo, los hacedores de políticas y donantes. La documentación toma tiempo extra y recursos; y a menudo requiere entrenamiento y nuevas habilidades. Los donantes ayudan para financiar estas actividades ayudando a asegurar que los grupos puedan construir en sus éxitos y tener acceso al financiamiento adicional para seguir con su trabajo.

Ayudar a la construcción de la capacidad

Muchos grupos comunitarios especialmente aquellos trabajando en áreas rurales, nunca han tenido la oportunidad de unirse con otras organizaciones. Proveyendo oportunidades para organizaciones diferentes que vengan a compartir su trabajo, reduce la soledad, incrementa el aprendizaje y permite la colaboración en muchos niveles, como el entrenamiento gerencial, talleres, participación de conferencia ayuda a las organizaciones a construir sus habilidades de programa y administrativo. Los donantes pueden proveer fondos para ayudar a las organizaciones comunitarias a ingresar a redes, información, soporte técnico. Hay muchas organizaciones no gubernamentales africanas experimentadas en proveer asistencia técnica. Es mejor unir grupos con estas organizaciones, en lugar de tratar de proveer asistencia directa desde afuera.

4.2 Spanish into English Translation

International Standards to the Protection of Digital Privacy

1. **From the current state communication surveillance and the international standards in terms of human rights**

Before the claimant Edward Snowden filtered his first document to the British newspaper ¨ The Guardian, ¨ about the massive surveillance conducted by the National Security Agency (NSA) of the United States of America, activists on the right t privacy were very concerned about the advancement of surveillance technologies and techniques and their impact on the right to privacy of people. Based on such, it was elaborated The International Principles on The Application of the Human Rights in Surveillance of Communication. The 13 principles explain how the international human rights law is utilized in the state communications surveillance context. They are firmly embodied in the international human right law and the compared jurisprudence. Its objective is to provide to civil society groups, public clerks, judges and legislative organs with a frame to evaluate if the surveillance laws or practices are compatible with the international human rights standards.

The final version of the 13 Principles was published on July 20th, 2013, the first weeks of what we could call the ¨ Post-Snowden Age. ¨ Since then, the Principles have been the polar star to those that look for solutions in face of a cruel reality, in which thanks to the cracks of the technology evolution and obsolete legal protection; the States have been adopting highly invasive surveillance practices that corrupt the essence of our fundamental liberties.

The 13 principles have received strong support from around the world, driven largely by the popular indignation over the espionage of the NSA and other intelligence agencies. From Latin America to Europe, from Asia to the Arabic world, activists have used the principles in *amicus curiae,* in the analysis of public politics, advocacy campaigns, in the media, and have been cited in international reports released by organisms of the United Nations and the Inter-American Commission of Human Rights (CIDH).

Some results of the incidence of civil society have had its recognition at international level. On December 2013, the General Assembly Unanimously approved the resolution ¨ The right to privacy in the digital age. ¨ This document affirms that ¨ The right of the people must also be protected on the internet, including the right to privacy. ¨ The resolution was presented by Brasil and Germany and sponsored by more than 50 member´s states and it is the most important declaration that the United Nations has issued on the right to privacy in more than 25 years. This declaration expressly requests the United Nations High Commissioner for Human Rights to submit a report on the protection and promotion of the right to privacy in the context of vigilance and interception of digital communications to the Human Rights Council. And so it was done.

In the excellent report published by the High Commissioner, she focused on surveillance issues. She explains, for example, that ¨metadata¨or also known as data on communication, ¨ can give a better idea of the behavior, social relationships, private preferences and identity of a person, even when compared to the information obtained when the content is accessed from a private communication.

In addition, it was added the report of the Rapporteur on the Promotion and Protection of the Human Rights and Fundamental Freedoms in the fight against terrorism. Dr Ben Emerson, who severely criticized the massive communication surveillance. The Rapporteur also expressed his disagreement with the lack of clear and precise legislation that authorizes powers of surveillance, and the need that it is abided by principles of proportionality, necessity, public supervision, legal authorization, and transparency. In a new report published on September 2015, Dr Emerson highlighted that the measures that interfere with the right to privacy must ¨ comply with the criteria of necessity and proportionality. ¨ Furthermore, he made it clearly that large-scale surveillance, which sometimes is justified in the fight against terrorism, has been used in several States to ¨ watch groups from the civil society, human rights advocates and journalists.

On the other hand, the new Special Rapporteur on the Promotion and Protection of the right to freedom of expression and opinion of The United Nations, David Kaye, also contributed to the debate when he published two highly relevant reports. The first one addresses the use of encryption and anonymity in digital communication; while the second one deals with the protection of sources of information and claimants of irregularities. Additionally, there was emitted joint communications with the Rapporteurs of Freedom of Expression of United Nations and the Inter-American Commission of Human Rights, making clear the lack of adequate regulation in this matter in several countries, including Latin America.

Pro-privacy campaigns continued within the United Nations. In this opportunity, civil society organizations requested the creation of a Rapporteurship especially dedicated to the right to privacy, since it was one of the civil and politic rights that did not count with a specialized Rapporteurship.

On July 2015, the President of the Council of Human Rights of the United Nations appointed, Sr. Joseph Cannataci as the first Rapporteur of the Right to Privacy. The designation was based on Resolution 03/2015 of the Council of Human Rights, which urged the appointment of Rapporteur of right of privacy for a period of three years.

In the ¨ Post-Snowden Age, ¨the debates took place even in regional and national spaces. For example, a German parliamentary commission investigated the approach and antecedents from espionage of the NSA in Germany. Privacy advocates challenged the surveillance activities of United States in local courts, while he was also questioned in the United Kingdom before a British court and the European of Human Rights.

Latin America has not been left behind in terms of strategic litigation. The Human Rights Defense Network in Mexico has initiated a process of inconstitutionality against a normative that seeks to retain the communications data of the entire Mexican population that uses telephone and internet. Data, an Uruguayan organization, has filed an amicus curiae citing also the principles and seeking, searching to access the normative that regulates the new surveillance program acquired by the Ministry of the Interior. According to the Uruguayan press, the program called El Guardián will exponentially increase the capacity of the Uruguayan States of monitoring telephone calls, e-mails, and social networks.

Within the frame of this complex international situation, it is placed the current work of investigation in four countries of Central America coordinated by Acceso Foundation. One of the sections of the investigation seeks to assess in the light of the international human rights standards, the normative works of the right to privacy, anonymity, and encryption facing state surveillance. To this end, the investigators used the International Principles on the Application of Human Rights on Communication Surveillance as a practical guide to assess if surveillance regulations in Guatemala, Honduras, El Salvador, and Nicaragua comply or not with the standards in terms of human rights. This investigation continues the work started by groups of the civil society to implement at national level those advances in human rights achieved at the international level.

2. Most Relevant Issues related to Surveillance and International Standards in terms of human rights

As follows, we will explain some of the most important aspects behind of the International Principles on the Application of Human Rights to Communication Surveillance. A more in-depth explanation of the legal foundations derived of the jurisprudence of human rights and the documents of the United Nations and the Inter-American system are found in the report ¨International Legal Analysis of Support and Background , document produced as support for the principles.

1. Technological changes and definitions

A few years ago, the state communication surveillance was a laborious and complex task that needed many people. The official secret police of the Nazi Germany (Gestapo), for example, had 40.000 officials that monitored a country of 80 million people, while the secret police form the former East Germany (Stasi) employed 102.000 to control a population of only 17 million. The Stasi also carried a careful record of the citizens under surveillance, obtaining numerous data on their private life. In the last decades, technology has achieved to do much more with much less logistic deployment, making it much easier to conduct surveillance today.

Moreover, States with a high level of poverty at a national level have reserved juicy budgets for the acquisition of these technological tools.

In this context, there is a great quantity of information that we leave each time we use a cell phone, a computer, or any other electronic device. These data about our communication, also known as meta-data reveal sensitive information: with whom we communicate with and how frequently, with whom we have been and where, where we go on Fridays at noon, and when we quit that habit. Meta-data are then, the data related to communications that are not the content of the same. A recent investigation of the Stanford University noted that meta-data reveals very sensitive information ¨ that is discerned from a relatively small amount of meta-data. ¨ with the meta-data, it is possible to infer sensitive information, even if you cannot access the content of the message. For example, it can be known that:

- You called a sex line phone at: 2:24 a. m. and that you talked for 18 minutes. But, they do not know what the conversation was.
- You called a suicide prevention line from a bridge…, but it is kept in secret.
- You received an e-mail from a HIV service analysis, then you called your doctor and looked up the page of an HIV support group, all at the same hour. But, they do not know what was in that e-mail nor what you talked about over the phone.

We cannot forget that now it is much easier and cheaper to store great amounts of information, process it, and analyze it to determine behavior patterns through time.

- You called a gynecologist, you talked for half an hour and that during the day you searched the internet for the phone number of an abortion clinic. But, nobody knows what you talked about.

In addition we have to take into account, that a large percentage of our communications are mediated by companies that play the role of third parties. If back in the days we used kept our letters, documents, or reports in our office or at home, now our communications or documents are found in the cloud in servers of intermediary companies or are transmitted through them. These internet or phone companies play an important role because they have the ability of identifying the user who uses their systems. While more information these companies store, the state more wants to access such information. As we have seen in the transparency reports of large internet companies that collect great amounts of personal information, the number of governmental data requests to those companies in the world just keeps increasing.

Let's remember that there is a great amount of information that people openly and voluntarily post on social networks; therefore it can be easily collected, stored, and analyzed by the state or by anyone.

On the other hand, it has been developed a global surveillance industry of approximately zero dollars in 2001 to a mega industry of $5 billion per year, and that is ready to satisfy the demand of the state.

The surveillance technologies offered range from massive to entire populations while much more invasive surveillance techniques than just listening to a conversation in real time have been developed. For example, a state's intelligence agencies carry out uncover actions using a malicious software, also known as malware. This software allows interrupting the functioning of the computer, collect sensitive information, or let to turn on the microphone or camera of a computer or record every key pressed on the keyboard. Recently, there have been several reports that reveal the use of these tools that allow spying on activists, journalists, and dissidents.

The use of IMSI (catchers or also known as stingrays), receptors has been multiplied; a receiver disguised of a legitimate cellular, telephony tower that deceives a mobile phone when connecting to the IMSI receiver with the purpose of tracking the location of a mobile phone in real time. We have seen its deployment in some countries, from Colombia to United States.

As technology advances, the rights, however, have been left behind. Many countries are taking steps to weakening, instead of reinforcing, the necessary guarantees to limit surveillance to the necessary and proportionally with an accountability system of solid transparency that allow to protect the society of any abuse of power.

Therefore, in the digital age when we talk about surveillance we are not limited to the mere interception of the communications but, moreover, this includes a series of activities: monitoring, intercepting, collecting, analyzing, using, preserving, storing, interfering, or obtaining information that includes or reflects past, present or future communications of a person. Even more, when we talk about communications, we do not only refer to e-mail sending, but to a whole series of activities, interactions, and transactions transmitted via network. These definitions were incorporated in the 13 principles to explain what we mean when talking about surveillance in the digital age.

2. The meta-data problematic

The 13 principles make clear the need of protecting the meta-data and all types of private information under protection. This information, under protection, is defined by the principles as ¨ any information that includes, reflects comes from, or refers to, the communications of a person and that is not easily available and accessible to public in general. ¨

As we mentioned before, the meta-data can include the location of the cell phone, browsing data, and search engines, and it is as invasive (or maybe more) as the reading the content of an e-mail or listening phone calls in real time. The important is not the technical quality of the kind of data that is collected, but the effect of that information on the privacy of people.

Therefore, the law must require high standards for government access to those data in legal processes. This means that the request be necessary, ideal, and proportional, prior order by a court (or any other impartial and independent authority), as long as the access discloses private information about the individual communications. This includes to reveal the identity of a person if the data are not public, who has communicated with whom, when, from where, how long, among other meta-data.

When taking into account the current communication surveillance capabilities, it is necessary that the meta-data are treated with the same level of protection as the communications content. In this regards the High Commissioner of Human Rights has declared in her report on privacy in the digital age that:

19. Along the same lines, it has been suggested that the interception or recompilation of data of a communication, in contraposition to the content of the communication, does not constitute in themselves an interference in the private life. From the point of view of the right to privacy, that distinction is not convincing. The addition of information commonly known as ¨meta-data¨ may even give a better idea of behavior, social relationships, private preferences, and the identity of a person, that the information obtained by accessing the content of a private communication […] *The recognition to that evolution has given place to initiatives to reinforce the existing policies and practices in order to ensure a better protection to privacy.*

Consequently, to assess the need, adequacy and proportionality of a surveillance measure, it is important to first understand the invasive nature of the same at the moment of disclosing protected information and the purpose for which the state wishes such information. In other words, we must make sure that the legislation related to communications surveillance protects privacy in all its aspects and dimensions.

The necessity and proportionality principles solve this problem by making clear in the section of definitions, which is the protected information or the subject information of legal protection.

3. Why monitoring someone´s data it is surveillance

A large scale of state surveillance revealed in the last years depends on the confusion on if it has been a real surveillance. Some have suggested that if the information is just collected, but not seen by a person, it has not been produced an invasion to privacy. Others argue that the computers that analyze all communications in real time, by key words and other selectors, it is not surveillance. These interpretations can be the difference between proportional and particularized surveillance, versus massive surveillance of an entire population. Definitions are important indeed.

It is why of the 13 principles have made clear that the ¨ Communications surveillance ¨, comprises monitoring, intercepting, collecting, analyzing, using, preserving, storing, interfering or obtaining information that includes or reflects past, present or future communications of a person, derived or comes from them.

About this matter, the High Commissioner for Human Rights pointed out that every data capture is potentially an interference to private life; despite of those data are consulted or used later on.

The 2007 update of the Venice Commission´s report on the democratic control of the security services and the report on democratic oversight of intelligence of 2015 shed light on the issue, confirming that the term strategic surveillance is often used to indicate that signal intelligence includes monitoring ordinary communications.

Dr. Ben Emerson, Rapporteur for the Promotion and Protection of the Human Rights and Fundamental Freedoms in the Fight against Terrorism, joins the comments of the High Commissioner explaining that:

55. When applying the approach adopted by the Court of Justice of the European Union, it be stated the collection and retention of the traffic data of the communications constitute an interference in the right to privacy, despite if later a public authority accesses and analyze them or not.

This is clearly established in the Judgment of the European Court of Human Rights, Amman versus Switzerland on February 16th 2000, as cited:

69. The court reiterates that the storage of information by a public authority related to the private life of a person is equal to an interference in the sense of article 8.

Subsequent use of the information stored does not influence in this appreciation […]

In the judgment of the European Court, S and Marper United Kingdom December 2008, once more the court clearly stated that:

121. The government sustains that the withholding cannot be considered as if has a direct or meaningful effect on the plaintiffs unless the coincidence with the data base were to implicate them in the commission of a crime on a future occasion. The court is not able to accept this argument and reiterates that the mere retention and storage of personal data *by public authorities; despite its obtaintion, have to be considered as having a direct impact on the private life of the individual in question, regardless of if data is used* […]

The 13 principles containt the previous antecedents and define in the section ¨ Technological Changes and Definitions ¨ what surveillance means in the modern environment and what is the meaning of communications in the digital age, to establish the scope of application of the human rights standards in the context of the surveillance.

4. Lets Protect the Internet Infrastructure

The 13 principles sustain the need of protecting the critic internet infrastructure. Any laws must impose security holes in our technology with the purpose of facilitating surveillance.

In this regard, the High Commissioner expressed her opinion by saying: ¨42 […] The promulgation of laws that obligate companies to prepare their networks for interception is of special concern, especially because it creates an environment that facilitates exhaustive surveillance measures.

Banalizing the safety of hundreds of millions of innocent people who rely on safe technologies with the purpose of guaranteeing the state´s capacity for surveillance against a few offenders is a myopic perverse policy. The assumption underlying those efforts that not any communication can be real is incoherently dangerous, because it leaves innocent people to the mercy of the police and criminals.

5. The Need to Respect the Legitimate Objective

The modern reality has shown, thanks to the Snowden revelations, that United States and United Kingdom intelligence agencies are involved in a much broader area the surveillance activities related to national security, or the fight against terrorism. For example, in The United States, the NSA and its partners have used their expansive espionage powers with politic and economic reasons that have little to do with the security of the State and its citizens. Even worse, recently it has been revealed that the information collected by intelligence agencies is routinely used, in secret, by United States enforcement agencies as the Drug Enforcement Administration (DEA), overlooking the controls and balances imposed on those national bodies.

The report from the High Commissioner for Human Rights emphasizes this point, by saying:

Many national frames works lack ¨use limitation, ¨ allowing the collection of data for a legitimate objective, but his use is subsequent for others. The inexistence of effective use limitation has been exacerbated since September 11th 2001, and the line that separates criminal justice system of national security has been blurred significantly. The resulting interchange of data between law enforcement agencies, intelligence organisms, and other state organs runs the risk of violating article 17 of the covenant, the surveillances measures that can be necessary and provided by a legitimate objective, may not be for other purposes.

The 13 principles agree in stipulating that surveillance must be necessary and proportional to the objective to be addressed. Equally important, the principles prohibit the reutilization without restrictions of information. In other words, it prohibits the intelligence agency to share with a police agency the information that was collected for a specific purpose (national security) and then reused for a different purpose (fighting or preventing crime).

6. No to the Complicity of Technology Companies

The 13 principles make clear that there is no room for voluntary cooperation of technology companies of intelligence agencies or the police, unless is a court order that meets the principles of legality, necessity, suitability, and proportionality.

The report of the High Commissioner, Navy Pillay, builds upon this point the obligations that the companies have when there exist excesses in the requests for surveillance:

[…] 4.3 *The guiding principles on the companies and human rights, approved by the Human Rights Council in 2011, provide an international framework for preventing and fighting the adverse effects linked to the company activities in human rights. The responsibility to respect the human rights is applicable to all the operations of the company worldwide, despite the location of the users, and of if the state complies with its obligations to human rights.*

7. The Rules of the Game must be known by everyone

The 13 principles make clear that the legal base and the interpretation of the surveillance powers must be public. The lack of transparency in surveillance laws and practices reflect a lack of compliance with the human rights and the rule of law.

Regarding this matter, the High Commissioner agrees by making clear that the rules and secret interpretations do not meet the necessary requirements to be considered a law:

¨29 Therefore, the secret rules and interpretations, even the secret law interpretations, of the right do not meet the necessary requirements to be considered ¨ law 42. ¨ The same happens with the laws or regulations that grand the executive authorities, as security and intelligence, services, a excessive discretional authority; the scope of the discretional authority granted and the way to exercising it must be stated with (in the proper law or in published binding guidelines) a reasonable clarity.

The secret laws on surveillance or any other aspect are not acceptable. The state must not adopt or apply a surveillance practice without the public´s right of knowing its limits. On the other hand, the law must be clear and precise enough, and thus ensuring that those individuals are aware of its existence and can foresee its application. When people do not know about the existence of a law, its interpretation, or its application, it is effectively secret. A secret law is not a legal law.

8. Notification and Right to Effective Remedy

Before the internet, the police knocked on the door of the woman affected by the surveillance measure, showed the court order, and this provided a reason to raid the house. The person affected could see the search that was taking place and if the collected information went beyond the court order.

Electronic surveillance, however, is much more subtle or surreptitious. The data can be intercepted or stored directly by an intermediary communications company, from telecommunications service providers (Telefónica, Claro) to content distributors (Facebook, or Twitter) without the individual even realized it. Therefore, it is often impossible to know if one has been subject to a surveillance measure, unless the evidence leads criminal to charges.

As a result, innocent people are less likely to discover that their privacy has been invaded.

The notification principle stated in the 13 principles is key in the fight against illegal surveillance or its overreaching. The notification principle consists on notifying to the affected person the surveillance request with the time and enough information for that person to appeal the decision, except if it endangers the investigation. People even must have access to the material presented in support of the request for authorization.

Surprisingly, the report of the High Commissioner for Human Rights established several characteristics that the effective resources for the violations to privacy through surveillance activities must fulfill. Those resources must be ¨ known and accessible to that affirms in a defensible manner that their rights have been violated. ¨ This means that the noticed is of great importance and that people must be cautioned to challenge the legality of the surveillance program without having to demonstrate that their communication in particular was monitored or collected:

40. The effective resources for the privacy violations through digital surveillance activities may have different judicial, legislative, or administrative forms; however, they often share several characteristics. First, those resources must be known and accessible to anyone that affirms defensibly that their rights have been violated. Therefore, the notification (from which it has been created a general surveillance regimen or specific surveillance measures) and the legitimation (to challenge such measures) are key issues *to determine the access to an effective resource. The states adopt different notification approaches; while some require a posteriori notification to people under surveillance, once investigations finish, many regimens do not provide a notification.*

In effect, any delay in the notification has to be authorized by a court and proceed always that there is a real risk to the investigation or harm to the person.

9. Restoring the Proportionality and Necessity Principle

The communications surveillance is a highly intrusive act that interferes with the fundamental freedoms and threatens the foundations of a democratic society. For that reason, any authorization that has the power exercising the surveillance must count with the previous approval of an independent and impartial judicial body to determine that determines if that specific act of surveillance complies with the requirement of proportionality.

To make this clear, we quote the High Commission for Human Rights, Navy Pillay, as she explained (the highlight is ours):

25. In regards to the need of a measure, the Human Rights Committee, in its general comment Nº 27, on article 12 of the International Covenant of Civil and Political Rights, highlighted that ¨ the restrictions cannot compromise essence of the right […] the relationship *between right and restriction and regulation and exception, cannot be reversed. ¨ The Committee further explained that ¨ it is not enough that restrictions are used to achieve permissible purposes, they must also be necessary to protect them. ¨ On the other hand, measures must be proportionate: ¨ the least disturbing instrument from the ones that allow to accomplish a desired result ¨46. When there exists a legitimate* *object and the proper safeguards have been set, it can be allowed to a State to conduct very disturbing surveillance activities; however, the government has to demonstrate that interference is necessary and proportional to the particular risk involved. Thus, bulk surveillance programs can be considered arbitrary, even if they pursue a legitimate objective and have been approved on the basis of an accessible legal regime.*

In other words, it is not enough that the measures have as a purpose to find determined information; what is important is the impact of the measures, in comparison to the risk involved, that is if the measure is necessary and proportional.

It seems important to quote Dr. Ben Emerson, Rapporteur for the Promotion and Protection of the Human Rights and Fundamental Freedoms in the United Nations, who positioned against large-scale mass surveillance:

18. Assuming, therefore, that there exists a right to respect for privacy of digital communications privacy (and this cannot be denied (see resolution 68/167 of the General Assembly)), the adoption of technology of large-scale surveillance without doubt undermines the mere essence of that right (see paragraph 51 and 52). Its use is potentially incompatible with the basic principle that the States adopt the less disturbing means available when invading the protected human rights (see paragraph 51), excludes any individualized assessment of proportionality (see paragraph 52), and it is surrounded by confidentiality arguments that highly hinder any other type of proportionality analysis (see paragraphs. 51-52). The States that perform large-scale surveillance, so for have not been able to publicly justify its need in detail and with evidence, and almost any state has enacted a national legislation that expressly authorizes its use (see paragraph 37).

From the point of view of article 17 of the covenant, this is practically equivalent to derogate completely the right to privacy of digital communications. For these reasons, the large-scale surveillance of traffic data and content of digital communications is a great threat to an established norm of the international law […]

The update of the 2007 report of the Venice Commission on the Democratic Control of Security Services and the Report on the Democratic Oversight of signals intelligence agencies 2015 was pronounced in the topic by saying:

35. Signals intelligence or SIGINT is a collective term that refers to means and methods for the interception and analysis of the radio (including satellite and cellular phone) cable and transmitted communications. Traditionally, the signals intelligence is principally used to obtain military intelligence and, in second, foreign or diplomatic intelligence. Therefore, it was mainly the domain of military or external intelligence agencies. Nevertheless, as a result of the process of globalization, together with the creation of internet, the border between internal and external security is not that clear anymore. Also, since the terrorist attacks of September 11th 2001, it was understood that significal threats to national security can be planned by non-state actors.

In the judgment of the case S and Marper V. United Kingdom on December 4th 2008, the European Court of Human Rights was pronounced on the indiscriminate nature of data retention:

119. In this sense, the court is shaken by the indiscriminate nature of the retention in England and Whales. The material can be retained independently from the nature or seriousness of the infringement that originated the original suspicion of the individual or *the age of the alleged criminal, footprints, and samples can be taken, and retained from a person of any age, arrested in relation to a registered penalty, including misdemeanor or non-punishable offenses. Retention is not limited in the time, the material is preserved indefinitely regardless of the nature or gravity of the offence the person was suspected of. On the other hand, there exists little probabilities for a free individual to get data extracted from the national data base or the destroyed material (see paragraph 35); in particular, there is not any provision for an independent review of the justification of the retention according to the defined criteria, including factors such as gravity of offence, previous detentions, or the force of suspect against the person and any other special circumstances.*

The proportionality principle requires that the State shows at least, that (1) there is a high degree of probability that a serious crime or a specific threat to a legitimate purpose has been or will be done; (2) there is a high degree of probability that the pertinent evidence and material of a severe crime or specific threat to a legitimate purpose will be obtained through the access requested to the protected information; (3) other investigation techniques that are less invasive have already been exhausted or will be useless, so that the technique used would be less invasive in practice; (4) the information to be accessed will be limited to the relevant and material for the serious crime or specific threat to the legitimate end; (5) any surplus information will not be retained, being in its place destroyed and promptly returned; (6) information will be accessed only by the specific authority and used only for the purposes an during lapses in which the authorization was given, and (7) the requested surveillance activities and technical proposals do not undermine the essence of the right to privacy or fundamental freedoms.

2.10 No to Discrimination among Nationals and Foreigners

The States can conduct communications surveillance inside and out from its frontiers. However, the internal legal frame of some countries provides greater protection to the rights of privacy of the citizens and residents and not to the non-citizens and non-residents. As a result, many governments are routinely involved in large-scale mass surveillance of international communications. On this issue it is important to highlight that the High Commissioner for Human Rights has declared in her report on privacy in the digital age that everyone is equal before the law:

36. The international human rights law is explicit in relation to the principle of non -discrimination. Article 26 of the International Covenant on Civil and Political Rights states that ¨ All persons are equal before of the law and are entitled without any discrimination to the equal protection of the law ¨ and adds that, ¨ In this respect, the law shall prohibit any discrimination and guarantee to all person equal and effective protection against discrimination on any ground such us race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

These provisions must be read in conjunction with article 17, which establishes that ¨ no one shall subjected of arbitrary or unlawful interference in his privacy ¨ and that ¨ Everyone has the right to protection of the law against such interference or attacks, ¨ as well as Article 2, paragraph 1. In this sense, the Human Rights Committee has highlighted the importance of adopting ¨measures for any interference to the right of intimacy that adjusts to the principles of legality, proportionality, and necessity, irrespectively of the nationality or location of persons whose communications are under direct surveillance.

In the opinion of the Rapporteur for the Promotion and Protection of the Human Rights and Fundamental Freedoms in the Fight against Terrorism, Ben Emerson, explained:

43. This differentiated treatment in either of its two forms is compatible with principle of non discrimination provided in article 26 of the Covenant, a principle that is also inherent to the notion of proportionality. In addition, the use large-scale surveillance programs to intervene the communications of those who are in other jurisdictions raises serious questions about the accessibility and predictability of the laws governing the interference in the right to privacy, and on the inability of people to know that they may be subject to foreign surveillance or that their communications could be intervened in foreign jurisdictions. The Special Rapporteur considers that the States are obliged legally to provide equal protection to citizens and foreigner, and to those who are inside or outside their jurisdiction.

62. The Special Rapporteur agrees with the High Commissioner for the Human Rights, in the fact that when the States penetrate the infrastructure that is outside their jurisdiction, continue to be subject to their obligations under Covenant. In addition, article 26 of the Covenant prohibits discrimination on grounds of nationality and citizenship, among others. Therefore, the Special Rapporteur considers that the States legally required to provide equal protection of privacy inside and outside of their jurisdiction. The *asymmetric protection regime of privacy constitutes a flagrant of violation of the requirements of the Covenant.*

3. Anonymity

3.1 Concept

Anonymity can be defined as acting or communicating with another person without using or presenting the name or identity. In addition, it can be defined as acting or communicating in a way that the name or identity is protected, using an assumed name that cannot necessarily be associated with one´s legal identity.

Anonymity can be conceived as a spectrum from strong to weak. It is strong when there exists technical and legal protections that make it be very difficult to unmask the identity of an anonymous person. Anonymity is weak when an anonymous person can be unmask through simple methods, such as government requests to the service provider or searching the assumed name in an existent data base.

Throughout history, people have communicated anonymously. In the XVIII century, James Madison, Alexander Hamilton, and John Jay assumed the pseudonym of ¨Pubilo¨ when they published The Federalist Papers. In the XIX century in England, the Brontë sisters used pseudonyms to publish under the names of Currer, Ellis, and Acton Bell, names of men that allowed them be taken as serious writers.

Currently, the anonymity of communication is one of the ¨most important advances made available by the internet, that enable people to express themselves freely without fear, retaliation, or convictions. ¨

3.2 Anonymity Protection

The freedom of expression is strengthened when one can do it anonymously. There are many circumstances when a person will not speak because of fear of retaliation, for an imbalance of inherent power, or other reason, or an association of individuals will not speak unless it is safe to protect the identity of its members.

The ability to read and access information anonymously is also crucial for the exercise of free expression. Article 19 of the Universal Declaration of Human Rights, which enshrines the right to freedom of opinion and expression, includes the right to seek, receive, and provide information and ideas through any medium.

This inclusion is necessary because there cannot be a meaningful protection to the freedom expression of the citizenships if they lack the right to read and communicate anonymously. The international doctrine explains that ¨ the close interdependence between reception and expression of information and between reading and freedom of thought make recognition of that right (the right to read anonymously) a good constitutional policy.

The Special Rapporteur on Freedom of opinion of the Interamerican Commission on Human Rights (ICHR) made clear that: ¨ In all cases, users must have the right to remain under the anonymity and any dispute on this point must be resolved exclusively in court.¨

In this sense, laws that prohibit or indirectly promote prohibitive practices of anonymity ¨a priori¨ are found in contrast with the provisions of the Rapporteurship of the (ICHR).

The Special Rapporteur on Freedom Expression and Opinion of the United Nations has said that ¨ the improper interference in the privacy of persons may limit directly and indirectly the free exchange and evolution of ideas. ¨

The issue of the online anonymity also necessarily incorporates concerns in regards to the expression and privacy, and the careful analysis of the interaction between both rights. As indicated in the 2011 report of the Special Rapporteur of the United Nations on the Promotion and Protection of the Right to Freedom of Opinion and Expression, ¨ The right to privacy is essential for people to express freely. ¨

The Declaration on Freedom of Communication on the Internet of the Council of Europe Counsel has made clear that ¨ in order to ensure protection against online surveillance and to improve free expression of information and ideas, the Member States must respect the will of the Internet user and no to reveal their identity. ¨

In a recent report of the Special Rapporteur on Freedom of Opinion and Expression of the United Nations, it is explained the interrelationship between security, privacy, and anonymity:

Encryption and anonymity, currently the main online security tracks, offer people to protect their privacy, allowing them to search, read, create, and share opinions and information without interference, and allowing journalists, civil society organizations, members of ethnic or religious groups, people persecuted because of their sexual orientation or genre identity, activists, scholars, artists, and others to exercise the rights to freedom of opinion and expression.

3.3 Restrictions on Anonymity

Anonymity is protected under the right to freedom of expression, this cannot be restricted ¨ a priori, ¨ but under further responsibilities.

The forced disclosure of the identity of anonymous user can only occur once committed a crime. The rights to a due process of an interlocutor must be respected before identifying that person in response to a request for data that allows the identification of the user. In this sense, legal regimens must guarantee the due process and transparency, and that the restriction is necessary, proportional, and complies with a legitimate objective before forcing the revelation of identity.

The Rapporteurship on freedom of Opinion and Expression of the United Nations explains the effect the anonymity restrictions produce:

¨ Restrictions produce a deterrent effect, discouraging the free expression of information and ideas. They have also an intimidating effect on the victims of all forms of violence and abuse, which might be reluctant to report abuses for fear of double victimization. ¨

The Rapporteurship continues its analysis by explaining that revealing the identity may result in the exclusion of people from several social fields, undermining their rights, and thus exacerbating social inequality. ¨

In some countries' legislations, online anonymity is restricted. For example, the Brazilian Constitution in its article 5 prohibits the anonymous speech; and the same happens with the Constitution of the Bolivarian Republic of Venezuela in its article 57. Another form of restriction to anonymity is the registration of SIM mobile cards.

In around 50 countries in Africa, they are required to provide personal data in order to activate a SIM card. While in Peru, all cards must have a national ID number.

Chapter V

Data Analysis

The following chapter will focus on information for the data analysis procedure. It is going to present the analysis of the instruments from the two texts ¨From Faith to Action¨ from English into Spanish and ¨International Standards for the Protection of Digital Privacy¨ from Spanish into English. The texts translated will help to develop the process for validation, as well as to provide examples and manners for the appropriate usage of the translation techniques to support the results for a better understanding of the topic in the translation field.

The information of this particular chapter is considered of high importance since it will provide the results of the structure for each instrument coming from chapter III which was previously written, to validate and capture the data analysis that the investigator performed before. This will allow a more consistent and efficient work in the process of translation and ensure the accuracy of the project originally created.

5.1 Analysis and Interpretation of the Results

According to the objectives set for this study, the instruments used to collect the data and carry out the required data analysis of procedures and methods are the text analysis chart, glossaries and the color coding.

5.1.1 Text Analysis

The first data collection instrument is the text analysis chart. As Newmark (1988), says that the very first step to start is by reading the original document or texts in order to understand the translation and have the analysis of the source and target language.

This chart is important since it will represent elements of analysis from Newmark (seen in chapter II). The reviews of the target translation text to make sure all of these aspects are considered.

Table 4

Text analysis element	**From Faith to Action**	**International Standards for the Protection of Digital Privacy**
Text Style	Descriptive	Descriptive
Stylistic Scale of Formality	Official	Official
Stylistic Scale of Generality	Neutral	Educated
Stylistic Scale of Emotional tone	Factual	Factual
Text Function	Informative	Informative
Type of Translation	Communicative	Communicative

Table 4 shows the analysis of the translation "From Faith to Action¨ from English into Spanish and "International Standards for the Protection of Digital Privacy¨ from Spanish into English. Source: Researcher's own creation.

5.1.2 Color Coding

The following instrument will show the results of the techniques applied in some paragraphs of the two translation texts, ¨From Faith to Action¨ from English into Spanish and ¨International Standards for the Protection of Digital Privacy¨ from Spanish into

English. The results obtained after analyzing the content of the text is to understand what it was about, generate a communicative translation keeping the same style and stylistic scales from the source text to allow the translator to study in depth the translation procedures applied to achieve the objectives planned for this project.

Table 7

Technique	**Color**
Modulation	
Transposition	
Omission	
Amplification	
Explicitation	
Literal translation	

Table 7 shows and describes how each translation procedure will be identified in the color-coding. Source: Researcher´s own creation

5.1.2.1 Color Coding: From Faith to Action

Paragraph 1

As HIV/AIDS takes the lives of mothers and fathers across Sub-Saharan Africa, millions of children lose a primary source of their support, guidance, and unconditional love. For every orphaned child, many more are made vulnerable as family members become ill, vital resources are depleted, and children themselves are at risk of HIV-infection. In a region where more than half of the population lives on less than one dollar per day and access to life-saving medications is limited, the impact of AIDS on children and families is devastating. Over 12 million children in Sub-Saharan Africa under the age of 18 have lost one or both parents to HIV/AIDS. The total number of children in Sub-Saharan Africa orphaned by any cause, including famine, disease, conflict and HIV/AIDS, is over 40 million. This is an orphan crisis without historical precedent. Most of these children continue to live with a surviving parent or their extended family members. Many of these families are living in poverty and are struggling to provide. This crisis calls for a broad-based and compassionate response that helps families and communities to meet the needs of orphans and vulnerable children.

Mientras el VIH /SIDA toma la vida de madres y padres en el Sahara Sur de África, millones de niños pierden una fuente importante de apoyo, guía y amor incondicional. Por cada **niño huérfano**, **muchos más están vulnerables debido a que los miembros de la familia se enferman**, los **recursos vitales** se agotan y los **mismos niños están en riesgo de infectarse de VIH /SIDA. En una región donde más de la mitad de la población vive con menos de un dólar por día y el acceso a los medicamentos para salvar vidas es limitado, el impacto de VIH /SIDA en los niños y familias es devastador.**

Cerca de 12 millones de niños menores de 18 años de edad en el Sahara Sur de África han perdido uno o ambos padres por el VIH /SIDA. **El número total** de niños en **el Sahara Sur de África que han quedado huérfanos por cualquier causa**, **incluyendo hambruna, enfermedad, conflictos y VIH /SIDA es más de 40 millones. Esto es una crisis de huérfanos** sin **precedente histórico**. **La mayoría de estos niños continúan viviendo con su padre o madre que ha sobrevivido o con algún otro**

miembro familiar. **Muchas de estas familias están viviendo en pobreza y están luchando para proveer.** Esta crisis **hace un** llamado **para una base amplia y respuesta compasiva que ayude a las familias y comunidades a conocer las necesidades de los huérfanos y niños vulnerables**.

Paragraph 2

Religious groups have a deep commitment to serving the poor, the sick, and the vulnerable. The teachings of all faiths call upon individuals to respond to human suffering and the needs of vulnerable children. As donors and as direct service providers, people of faith have a critical role to play in addressing the HIV/AIDS crisis and its impact on children in Africa. The question that we must all ask is, "How can we respond in ways that best support children's needs and rights while addressing the immense challenges that poverty and HIV/AIDS present?"

Los grupos religiosos tienen un profundo compromiso de servir a los pobres, los enfermos y los vulnerables. Las enseñanzas de todos los tipos de fe llaman a los individuos a responder al sufrimiento humano y a la necesidad de los **niños vulnerables**. **Como donantes y proveedores de servicio directo,** las personas de fe tienen un **rol critico para actuar y dirigir** la crisis del VIH /SIDA **y su impacto en los niños de África.** La pregunta que **todos nosotros** nos debemos hacer es ¨ ¿**Cómo podemos responder en maneras que mejor ayuden** a **las necesidades y derechos de los niños** mientras se dirige los **desafíos inmensos que presentan la pobreza y el VIH /SIDA?¨**

Paragraph 3

We use the phrase “orphans and vulnerable children” to describe all of those children who have lost one or both parents from any cause or have been determined by their community members to be in greatest need. In the case of HIV/AIDS, children often face the greatest difficulties before they become orphans, as their parents become too ill to care for them. When programs target “AIDS orphans” only, they create problems by both privileging and stigmatizing the children receiving the services. It is important for organizations to evaluate and assist all children with serious hardships, such as children living in extreme poverty, orphaned by other causes, caring for ailing parents, or suffering from illness or disabilities.

Nosotros usamos la frase ¨huérfanos y niños vulnerables¨ para describir a todos aquellos niños quienes han perdido a uno o ambos padres por cualquier causa o han sido determinados por los miembros de la comunidad por estar en gran necesidad. En el caso de VIH /SIDA, los niños enfrentan a menudo las mayores dificultades antes de que se conviertan en huérfanos; esto porque sus padres **se enferman mucho como** para cuidar de ellos. **Cuando los programas apuntan solo a ¨los niños huérfanos con SIDA¨, crean problemas de privilegiar y estigmatizar a los niños que están recibiendo los servicios.** Es importante para **las organizaciones evaluar y asistir a todos los niños con serios traumas, como los niños que viven** en **pobreza extrema**, **huérfanos por otras causas, cuidados por padres enfermos o los que sufren de enfermedades o discapacidades.**

Paragraph 4

The sheer number of orphaned and vulnerable children is overwhelming. Many well-meaning donors are funding orphanages as a solution to the problem. However, orphanages are expensive and can only reach small numbers of children. Research by the World Bank in Tanzania, for example, found the cost of operating orphanages to be six times higher than the cost of caring for children in the community. Most importantly, orphanages separate children from family and community life. They often fail to meet children's developmental needs and do not prepare them for adult life in the larger society. While institutions can serve as a temporary and last-resort response for children with no other means of support, they are not a recommended long-term solution. The most promising solutions must look to more sustainable alternatives that focus on preventing the conditions that lead to the need for institutional care.

El número total de niños huérfanos y vulnerables es abrumador. **Muchos están financiando orfanatos como una solución al problema. Sin embargo, los orfanatos son caros y solo pueden alcanzar para una cantidad pequeña de niños. La investigación del World Bank in Tanzania, por ejemplo, encontró que el costo de manejar orfanatos es seis veces mayor que el costo del cuido de niños en la comunidad.** Más importante **aún es que los orfanatos separan a los niños de la familia y la vida en la comunidad. A menudo ellos fallan al cumplir con las necesidades de desarrollo de los niños y no los preparan para una vida adulta en una sociedad más grande. Mientras las instituciones pueden servir como una respuesta temporal y última para los niños que no tienen ningún otro medio de ayuda, estas no son recomendadas para una solución a largo plazo**. **Las soluciones más prometedoras**

deberían buscar más **alternativas sostenibles que se enfoquen en prevenir las condiciones que guíen a la necesidad para la atención institucional.**

Paragraph 5

Many African countries and international organizations recognize the shortcomings of orphanages and discourage their use. They recognize that children may be placed in orphanages by family members who want to care for them but lack the means to do so. Orphanages can become a way to access food, clothing, and an education, when what is really needed is to make these necessities available within the community. When an orphanage is treated as the primary solution, it can weaken a community's motivation to address orphan issues and divert resources away from the family-based solutions that are better for children.

Muchos países africanos y organizaciones internacionales reconocen la falta de orfanatos y disuaden su uso. Ellos reconocen que los niños pueden ser ubicados en orfanatos por miembros de familia quienes quieren cuidar de ellos, pero no tienen los medios para hacerlo. Los orfanatos se pueden convertir en una manera para tener acceso a comida, ropa y educación; cuando lo que es realmente necesario es hacer que estas necesidades sean disponibles dentro de la comunidad. Cuando un orfanato es tratado como la primera solución, esto puede debilitar **la motivación de una comunidad** para dirigir las **situaciones y desviar recursos de las soluciones de familia que son mejores para los niños.**

Paragraph 6

A common thread that runs through Africa's diverse cultures is that of extended family members stepping in to provide orphans with a nurturing home and a family, which children need in order to grow into healthy adults.

Given the scale and scope of the HIV/AIDS pandemic, it is remarkable that most of the children who have been orphaned continue to be cared for by extended family members.

But this safety net is becoming less reliable as more and more caregivers die. Family and community resources are stretched to the breaking point and are in need of support.

Una amenaza común que existe a lo largo de las diversas culturas de África es que los miembros de la familia tienen que hacerse cargo y proveer a los huérfanos con una crianza en casa y una familia, las cuales los niños necesitan para crecer como adultos saludables. Dado la escala y la extensión de la **pandemia del VIH/SIDA**, es notable que **la mayoría de los niños que han estado en un orfanato continúen siendo atendidos por los demás miembros de familia**. Pero esta **red de seguridad** se está volviendo menos confiable **mientras** más y más ayudantes mueren. **Los recursos de la familia y la comunidad son estrechados hasta el punto de quiebre y están en necesidad de ser ayudados.**

Paragraph 7

Poverty prevents families from being able to take in children in need. Many community and faith-based groups create income-generating activities for caregivers, offering microcredit loans and small business training. Some of the most successful programs are locally run with support from non-governmental or professional organizations specializing in microfinance. These programs provide caregivers with the skills and the start-up capital to engage in livelihoods that will help feed, clothe, and pay the school fees for the children in their care.

Other organizations provide agricultural supplies such as seeds, tools, and livestock to families in rural areas. Congregations and local organizations often provide material resources such as food, blankets, and clothing to families in which the heads of households are too ill or too old to work. Many programs recruit community volunteers to help build or repair homes and work in community gardens.

La pobreza **previene** a las familias **de su capacidad para adoptar niños con alguna** necesidad. Muchos **grupos de la comunidad y grupos basados en la fe** crean actividades **que generan ganancia para los asistentes, ofreciendo préstamos de micro créditos y de entrenamiento para negocios pequeños**. **Algunos de los programas más exitosos son locales y administrados con la ayuda de organizaciones no gubernamentales o profesionales especializados en micro finanzas. Estos programas, les proporcionan a los asistentes las habilidades y capital de inicio para involucrarse en el sustento que ayudara a alimentar, vestir y pagar las cuotas de la escuela a los niños bajo su cuido.**

Otras organizaciones proporcionan suministros como semillas, herramientas y ganado a las familias en áreas rurales. Congregaciones y organizaciones locales proporcionan recursos de material tales como: comida, sábanas **o cobijas, así como**

ropa a las familias cuyo cabeza de familia esté muy enferma o muy vieja para trabajar. Muchos programas reclutan a voluntarios de las comunidades para que ayuden a construir o reparar casas y trabajar en los jardines de la comunidad.

Paragraph 8

Children who are cared for by families within communities are more likely to thrive than those in orphanages. Children growing up in families generally receive the kind of love, attention, and care essential to their wellbeing. The daily life and close relationships within a family lay the foundation for a child's social and emotional development, self-image, and sense of belonging. As children interact with members of their households and the wider community, they absorb the patterns and values of their culture and develop the language, customs, and skills they will need in their adult lives.

Los niños que son cuidados en familias dentro de las comunidades son más probables que luchen más que aquellos **que son criados** en orfanatos. **Los niños que crecen en familias generalmente reciben el tipo de amor, atención y cuidado esencial para su bienestar. La vida diaria y las relaciones cercanas** con una familia colocan la fundación para el **desarrollo emocional y social para un niño, la autoimagen y el sentido de pertenencia. Mientras los niños interactúan con miembros de sus quehaceres** y una **comunidad más amplia**, **ellos absorben los patrones y los valores de su cultura y desarrollan el lenguaje, vestuarios y habilidades que ellos necesitarán en sus vidas futuras como adultos**.

Paragraph 9

The best way to serve vulnerable children is to strengthen the capacity of families and communities to care for them. Extended family members and other caregivers in the community who are willing to take in children often lack the resources to do so. Many faith-based and other community organizations address this issue by providing households with support to meet the material, educational, and emotional needs of children. These local solutions help ensure that every child has a family, while also protecting children from mistreatment or abuse. When the safety net of care is strengthened, fewer children are neglected, abandoned, or placed within institutional care.

La mejor manera para servir a los niños vulnerables es fortalecer la capacidad de las familias y comunidades para atenderlos. Los otros **miembros de la familia y demás ayudantes en la comunidad quienes están dispuestos a tomar a menudo en los niños la falta de recursos para hacerlo. Muchas fundaciones y organizaciones de la comunidad dirigen la situación en proveer ingresos** para ayudar a **alcanzar** la parte material, educacional y **necesidades emocionales** de los niños. **Estas soluciones locales ayudan a asegurar que cada niño tenga una familia, mientras se protege también a los niños del maltrato o abuso**. Cuando la **red de seguridad** de atención es fortalecida, **menos niños son rechazados, abandonados o ubicados dentro** del **cuidado institucional**.

Paragraph 10

Grassroots efforts to support children and families mobilize local resources, inspire community ownership, and build community strength in a variety of ways. Most community and faith-based organizations have lean budgets and minimal, if any, paid staff. Motivated by compassion, goodwill, and seeing children in need of help, volunteers—often neighbors and members of the community themselves—are the backbone of many grassroots efforts. Many volunteers are also poor, and it is important to ensure that they receive training opportunities, recognition, and other types of support.

Los **esfuerzos fundamentales para ayudar a los niños y familias movilizan recursos locales,** inspiran una **propiedad comunitaria** y construyen la **fortaleza de la comunidad** en una variedad de maneras. **La mayoría de las comunidades y organizaciones han apoyado con presupuesto mínimo para pagar el personal. Motivado por la compasión, la gracia y ver niños con necesidad de ayuda, voluntarios y a menudo vecinos y miembros de la comunidad mismos, son la columna vertebral de muchos esfuerzos fundamentales**. **Muchos voluntarios también son pobres y es importante asegurar que reciben oportunidades de entrenamiento, reconocimiento y otros tipos de ayuda.**

Paragraph 11

Grassroots responses vary greatly in their size and in the scope and scale of their services. In their simplest form, community organizations are small informal groups that have come together to address a local need. Among them are the many thousands of faith-based groups and congregations that are providing assistance to vulnerable children in their communities. As groups expand, they may hire staff and seek <u>outside</u> funding. Local <u>faith-based</u> groups may receive support through their religious networks at the district, national, and international levels. In addition, a <u>growing</u> number of larger non-governmental organizations work closely with communities to encourage and support local efforts. Collectively, this diverse group of organizations is working at the ground level to ensure that hundreds of thousands of children receive support and remain in family care.

Las respuestas fundamentales varían grandemente en su tamaño y el campo y escala de sus servicios. En su forma más simple, las organizaciones de la comunidad son pequeños **grupos informales que se han reunido para dirigir una necesidad local**. **Entre ellas están los muchos cientos de grupos y congregaciones que están dando** asistencia a los **niños vulnerables** en sus comunidades. **Mientras los grupos se expanden, ellos podrán contratar personal y buscar financiamiento. Los grupos locales pueden recibir ayuda a través de sus redes religiosas** en el distrito, nacional y a **niveles internacionales**. Además, un **gran** número de **organizaciones no gubernamentales en crecimiento trabajan cerca con las comunidades para alentar y ayudar a los esfuerzos locales. Colectivamente este diverso grupo de organizaciones está trabajando a nivel primario para asegurar que cientos de miles de niños reciban soporte y se mantengan en cuidado familiar.**

Paragraph 12

Examining how different community and faith-based groups identify priorities demonstrates that there is no single right way to do things. Problems are best addressed when the people most directly involved in a situation develop their own solutions, while also being able to draw on successful practices gleaned from other resources. The approaches and activities used vary as each group determines the form of assistance that best meets the needs of its population. Many groups start by providing one type of assistance, and then add on services as they see they need.

Examinando que tan diferente los grupos comunitarios basados en la fe identifican prioridades, se demuestra que no hay una **sola manera correcta** de hacer las cosas. **Los problemas son mejor manejados cuando la gente directamente se compromete en una situación donde desarrollan sus propias soluciones, mientras también son capaces de crear prácticas exitosas con otros recursos. Los acercamientos y actividades usados varían cuando cada grupo determine la forma de asistencia que mejor conozca las necesidades de la población. Muchos grupos empiezan por proveer un tipo de asistencia y luego agregan servicios que necesiten.**

Paragraph 13

Grassroots and faith-based groups provide different programs and activities to strengthen family and community care for orphans and vulnerable children. While each individual group may serve a relatively small population, the collective force of these local initiatives is tremendous. The following pages highlight a range of strategies that have been shown to be effective. Stories and examples from organizations that are making a difference in the lives of children provide an illustration of these strategies in action.

Los grupos de ayuda social y los grupos basados en la fe, **proveen diferentes programas y actividades para fortalecer la familia y el cuido de la comunidad de los huérfanos** y **niños vulnerables.** Mientras cada **grupo de individuos** puede servir como **una pequeña población**, **la fuerza colectiva** de estas **iniciativas locales** es **muy buena**.

Las **páginas siguientes** **resaltan un rango de estrategias que** **han demostrado** ser efectivas. **Las historias y ejemplos de las organizaciones que están haciendo una diferencia en la vida de los niños** **dan** **una ilustración de las estrategias en acción.**

Paragraph 14

Community and faith-based groups inspire others to take action by raising awareness about the needs of vulnerable children. Despite the overwhelming impact of HIV/AIDS, many individuals are willing to step forward and help when they are given the necessary information and support. A common approach is to form "orphan and vulnerable Child care committees" that bring together a cross section of the community or members of congregations to identify children in need and to develop a plan of action.

La comunidad y los grupos basados en la fe **inspiran a otros a tomar acciones** **a través de hacer** **conciencia acerca de las necesidades de** **niños vulnerables**. A pesar **del impacto agobiante** del VIH/SIDA, muchos individuos **están anuentes a dar un paso adelante** y **ayudar cuando les sean dados la información necesaria y el soporte**.

Un acercamiento común es formar orfanatos y **comités de cuido** **para huérfanos y niños que traigan** **consigo** **juntos una sección de la comunidad o miembros de las congregaciones para identificar niños en necesidad y desarrollar un plan de acción.**

Paragraph 15

Community organizations that mobilize action for children increase their reach and effectiveness when they work together with other groups. Some faith-based organizations play a leadership role in creating inter-denominational or inter-faith responses. These efforts provide local congregations and groups with greater access to information, resources, and other types of support.

When people believe that HIV/AIDS is contracted from simple social contact or is caused by an evil curse, they are often afraid to take in or assist children who have lost their parents to the disease. Once people are educated about HIV/AIDS and encouraged to discuss it openly and honestly, children affected by HIV/AIDS are more likely to be accepted and cared for. Community and faith-based organizations address this issue in a variety of ways.

Las organizaciones comunitarias que mueven acciones para que los niños incrementen sus oportunidades y efectividad cuando trabajan juntos con otros grupos. Algunas **organizaciones basadas en la fe juegan un rol de liderazgo en crear respuestas interdenominales. Estos esfuerzos le proporcionan** a las **congregaciones locales y grupos con mayor acceso a la información, recursos y otros tipos de soporte.**

Cuando la gente cree que VIH/SIDA es contraído por un simple contacto social o que es causado por una **maldición del demonio**, **ellos están a menudo temerosos de traer o de ayudar a niños que han perdido a sus padres por la enfermedad.**

Una vez que la gente es educada acerca del VIH/SIDA y motivada para discutir la situación abierta y honestamente, los niños afectados por el VIH/SIDA tienen más probabilidades de ser aceptados y cuidados. **La comunidad y los grupos basados en la fe abordan este problema de varias maneras.**

5.1.2.2 Color Coding: International Standards for the Protection of Digital Privacy

Paragraph 1

Desde antes que el denunciante Edward Snowden filtrara su primer documento al periódico británico The Guardian sobre la vigilancia masiva conducida por la Agencia de Seguridad Nacional (NSA por sus siglas en inglés) de los Estados Unidos, activistas sobre el derecho a la privacidad ya estaban muy preocupadas por el avance de las técnicas y tecnologías de vigilancia y su impacto en la vida privada de las personas. A partir de aquellas preocupaciones se produce la elaboración de los Principios Internacionales sobre la Aplicación de los Derechos Humanos sobre la Vigilancia de las Comunicaciones. Los 13 Principios explican cómo el derecho internacional de los derechos humanos se emplea en el contexto de la vigilancia estatal de las comunicaciones. Ellos se encuentran firmemente enraizados en el derecho internacional de los derechos humanos y la jurisprudencia comparada. Su objetivo es proporcionar a grupos de la sociedad civil, funcionarios públicos, jueces y órganos legislativos un marco para evaluar si las leyes o prácticas de vigilancia son compatibles con los estándares internacionales de derechos humanos.

Before the claimant Edward Snowden filtered his first document to the British newspaper ¨ The Guardian, ¨ on the massive surveillance conducted by the National Security Agency (NSA) of the United States of America, activists on the right to privacy were very concerned about the advancement of surveillance technologies and techniques and their impact on the right to privacy of people. Based on such, it was elaborated The International Principles on the Application of the Human

Rights in Surveillance of Communication. The **13 principles explain how the international human rights law is utilized in the state communications surveillance context**. **They are firmly embodied in the international human right law and the compared jurisprudence. Its objective is to provide to civil society groups, public clerks,** judges and **legislative organs with a frame to evaluate if the surveillance laws or practices** are compatible with the **international human rights standards**.

Paragraph 2

La versión final de los 13 Principios fue publicada el 20 de julio del año 2013, las primeras semanas de lo que podríamos denominar la "Era post-Snowden". Desde entonces, los Principios han sido la estrella polar para aquellos que buscan soluciones frente a una cruda realidad en la que, gracias a las grietas de la evolución tecnológica y las protecciones legales obsoletas, los Estados vienen adoptando prácticas de vigilancia sumamente invasivas que corrompen la esencia misma de nuestras libertades fundamentales. Los 13 Principios han recibido un fuerte apoyo en todo el mundo, impulsado en gran medida por la indignación popular frente al espionaje de la NSA y otras agencias de inteligencia. Desde América Latina a Europa, de Asia al mundo árabe, los activistas han utilizado los Principios en amicus curiae, en análisis de políticas públicas, en campañas de incidencia, en medios de comunicación, y han sido citados en informes internacionales emitidos por organismos de las Naciones Unidas y la Comisión Interamericana de Derechos Humanos (CIDH).

The final version of the 13 Principles was published on July 20th, 2013, the first weeks of what we could call the ¨**Post-Snowden Age**.¨ Since then, the Principles have been the **polar star to those that look for solutions in face of a cruel reality, in which thanks to the cracks of the technology evolution** and **obsolete legal protection**; the **States have been adopting highly invasive surveillance practices that corrupt the essence of our fundamental liberties**.

The 13 principles have received strong support from around the world, **driven largely by** the **popular indignation over the espionage of the NSA and other intelligence agencies**. From **Latin America** to Europe, from Asia to the **Arabic world**, **activists have used the principles in *amicus curiae,* in the analysis of public politics, advocacy campaigns, in the media, and have been cited in international reports released by organisms of the United Nations** and the **Inter-American Commission of Human Rights** (CIDH).

Paragraph 3

Algunos resultados de la incidencia de la sociedad civil han tenido sus frutos a nivel internacional. En diciembre de 2013, la Asamblea General aprobó con unanimidad la Resolución "El derecho a la privacidad en la era digital". Este documento afirma que "los derechos de las personas también deben estar protegidos en internet, incluido el derecho a la privacidad". La Resolución fue presentada por Brasil y Alemania y patrocinada por más de 50 estados miembros y es la declaración más importante que Naciones Unidas ha emitido sobre el derecho a la privacidad en más de 25 años. Esta declaración solicita expresamente a la Alta Comisionada de las Naciones Unidas para los Derechos Humanos que presente al Consejo de Derechos Humanos un informe sobre la protección y la promoción del derecho a la privacidad en el contexto de la vigilancia y la interceptación de las comunicaciones digitales. Y así se hizo.

Some results of the incidence of civil society have had its recognition at international level. On December 2013, the **General Assembly unanimously approved the resolution ¨the right to privacy in the digital age.¨ This document affirms that ¨The right of the people must also be protected on the internet, including the right to privacy.¨ The resolution was presented by Brasil and Germany and sponsored by more than 50 members states and it is the most important declaration that the United Nations has issued on the right to privacy in more than 25 years.** This declaration **expressly requests** the **United Nations High Commissioner for Human Rights to submit a report on the protection and promotion of the right to privacy in the context of vigilance and interception of digital communications** to the **Human Rights Council**. **And so, it was done.**

Paragraph 4

En el excelente informe publicado por la Alta Comisionada, ella ahonda en los temas de vigilancia. Ella explica, por ejemplo, que los "metadatos" o también conocidos como los "datos sobre las comunicaciones" pueden dar una mejor idea del comportamiento, las relaciones sociales, las preferencias privadas y la identidad de una persona, incluso frente a la información obtenida cuando se accede al contenido de una comunicación privada.

Además, se sumó el informe del Relator para la Promoción y Protección de los Derechos Humanos y las Libertades Fundamentales en la Lucha contra el Terrorismo, Dr.

Ben Emerson, quien criticó severamente la vigilancia masiva de las comunicaciones. El Relator también mostró su desacuerdo con la falta de legislación clara y precisa que autorice las facultades de vigilancia, y la necesidad que esta se rija por los principios de proporcionalidad, necesidad, supervisión pública, autorización judicial, y transparencia. En un nuevo informe publicado en Septiembre del 2015, el Dr. Emerson recalcó explícitamente que las medidas que interfieran con el derecho a la privacidad deben “cumplir con los criterios de necesidad y proporcionalidad.”

In the excellent report published by the High Commissioner, she **focused** on **surveillance issues**. **She explains, for example, that ¨metadata¨or also known as data on communication, ¨ can give a better idea of the behavior**, **social relationships**, **private preferences and identity of a person, even when compared** to the information obtained when the content **is accessed** from a **private communication**.

In addition, **it was added** the report of the **Rapporteur** on the **Promotion and Protection of the Human Rights and Fundamental Freedoms** in the fight against terrorism. Dr Ben Emerson, who **severely criticized** the **massive communication surveillance. The Rapporteur also expressed his disagreement with the lack of clear and precise legislation that authorizes powers of surveillance, and the need that it is abided by principles of proportionality, necessity, public supervision, legal authorization, and transparency. In a new report published on September 2015, Dr Emerson highlighted that the measures that interfere with the right to privacy must ¨ comply with the criteria of necessity and proportionality. ¨**

Paragraph 5

Y por su parte, el nuevo Relator Especial sobre la promoción y protección del derecho a la libertad de opinión y de expresión de las Naciones Unidas; David Kaye, también contribuyó al debate cuando publicó dos informes sumamente relevantes. El primero aborda la utilización del cifrado y el anonimato en las comunicaciones digitales, mientras que el segundo se ocupa de la protección de las fuentes de información y los denunciantes de irregularidades. También emitieron comunicaciones conjuntas el Relator y la Relatora de Libertad de Expresión de Naciones Unidas y la Comisión Interamericana de Derechos Humanos, dejando clara la falta de regulación adecuada en esta materia en varios países incluida América Latina. Las campañas pro-privacidad continuaron en el ámbito de las Naciones Unidas. En esta oportunidad, organizaciones de la sociedad civil solicitaron la creación de una Relatoría dedicada especialmente al derecho a la privacidad, ya que era uno de los derechos civiles y políticos que no contaba con una Relatoría especializada.14 Es así que en julio de 2015, el Presidente del Consejo de Derechos Humanos de la ONU designó al primer Relator del Derecho a la Privacidad, el Sr. Joseph Cannataci. La designación se basó en la Resolución 03/2015 del Consejo de Derechos Humanos, que instó al nombramiento de un Relator Especial sobre el derecho a la privacidad por un período de tres años.

On the other hand, the new **Special Rapporteur on the Promotion and Protection of the right to freedom of expression and opinion of The United Nations**, **David Kaye, also contributed to the debate when he published two highly relevant reports**. The first one **addresses the use of encryption and anonymity in digital communication**; **while the second one deals with the protection of sources of**

information and claimants of irregularities. Additionally, **there was emitted joint communications** with the **Rapporteurs** of **Freedom of Expression** of **United Nations** and the **Inter-American Commission of Human Rights**, **making clear the lack of adequate regulation in this matter in several countries, including Latin America.**

Pro-privacy campaigns continued **within** the **United Nations**. In this opportunity, **civil society organizations** requested the creation of a **Rapporteurship especially dedicated to the right to privacy, since it was one of the civil and politic rights** that did not count with a **specialized Rapporteurship**.

On July 2015, **the President of the Council of Human Rights of the United Nations appointed**, Sr. Joseph Cannataci as the first **Rapporteur** of the Right to Privacy. The designation was based on Resolution 03/2015 of the **Council of Human Rights**, **which urged the appointment of Rapporteur** of right of privacy for a period of three years.

Paragraph 6

En la “Era post-Snowden”, los debates se dieron incluso en espacios regionales y nacionales. Por ejemplo, una comisión parlamentaria alemana investigó el alcance y los antecedentes del espionaje de la NSA en Alemania. Defensores y defensoras de la privacidad desafiaron las actividades de vigilancia de los Estados Unidos en tribunales locales, mientras que también lo desafiaron en el Reino Unido ante el tribunal británico17 y el Tribunal Europeo de Derechos Humanos.

América Latina no se ha quedado atrás en términos de litigio estratégico. La Red en Defensa de los Derechos Humanos en México ha iniciado un proceso de inconstitucionalidad contra una norma que busca retener los datos de las comunicaciones de la población entera mexicana que usa el teléfono e internet. Data, una organización uruguaya, ha presentado un amicus curiae citando también los Principios, buscando acceder a la normativa que regula el nuevo programa de vigilancia adquirido por el Ministerio del Interior. De acuerdo a la prensa uruguaya, el programa denominado El Guardián incrementará exponencialmente la capacidad del Estado uruguayo de vigilar llamadas telefónicas, correos electrónicos y redes sociales.

In the ¨ **Post-Snowden Age**, ¨the debates **took place** **even in regional and national spaces. For example, a German parliamentary commission investigated the approach and antecedents from espionage of the NSA in Germany. Privacy advocates** challenged the **surveillance activities** of **United States in local courts**, **while he was also questioned in the United Kingdom before** a **British court** and the **European of Human Rights.**

Latin America has not been left behind in terms of strategic litigation. **The Human Rights Defense Network in Mexico has initiated a process of inconstitutionality against a normative that seeks to retain the communications data of the entire Mexican population that uses telephone and internet**. Data, **an Uruguayan organization**, **has filed** **an amicus curiae citing also the principles and seeking,** **searching** **to access the normative that regulates the new surveillance program acquired by the Ministry of the Interior. According to the Uruguayan press**, the program **called** El Guardián will **exponentially increase the capacity of the Uruguayan States of monitoring telephone calls, e-mails, and social networks.**

Paragraph 7

En el marco de esta compleja situación internacional se enmarca el presente trabajo de investigación en cuatro países de Centroamérica coordinado por Fundación Acceso. Una de las secciones de la investigación busca evaluar a la luz de los estándares internacionales de derechos humanos, los marcos normativos del derecho a la privacidad, anonimato y el cifrado frente a la vigilancia estatal. Para ello, los y las investigadoras utilizaron los Principios Internacionales sobre la Aplicación de los Derechos Humanos sobre la Vigilancia de las Comunicaciones como guía práctica para evaluar si la normativa de vigilancia en Guatemala, Honduras, El Salvador y Nicaragua cumplen o no con los estándares en materia de derechos humanos. Esta investigación entonces continúa el trabajo iniciado por grupos de la sociedad civil para implementar a nivel nacional aquellos avances en materia de derechos humanos logrados a nivel internacional.

Within the frame of this complex international situation, **it is placed the current work of investigation in four countries of Central America coordinated by Acceso Foundation. One of the sections of the investigation seeks to assess in the light of the international human rights standards**, the normative **works of the right to privacy**, **anonymity, and encryption facing state surveillance**. **To this end**, **the investigators used** the **International Principles on the Application of Human Rights on Communication Surveillance** as a **practical guide** to assess if **surveillance regulations in Guatemala, Honduras, El Salvador, and Nicaragua comply or not with the standards in terms of human rights. This investigation continues the work started by groups of the civil society** to implement **at national level** those advances in **human rights** achieved at the **international level.**

Paragraph 8

A continuación, explicaremos algunos de los aspectos más importantes detrás de los Principios Internacionales sobre la Aplicación de los Derechos Humanos sobre la Vigilancia de las Comunicaciones. Una explicación más profunda de los fundamentos jurídicos procedentes de la jurisprudencia de derechos humanos y los documentos de Naciones Unidas y del sistema interamericano se encuentran en el informe "Análisis Jurídico Internacional de Apoyo y Antecedentes, documento producido como

material de apoyo para los Principios."

Hace unos años atrás, la vigilancia estatal de las comunicaciones era una tarea laboriosa y compleja que necesitaba de muchas personas. La policía secreta oficial de la Alemania nazi (Gestapo), por ejemplo, tenía 40.000 funcionarios que vigilaban a un país de 80 millones de personas, mientras que la policía secreta de la ex Alemania del Este (Stasi) empleó 102.000 para controlar una población solamente de 17 millones.

As follows, **we will explain some of the most important aspects behind of the International Principles on the Application of Human Rights to Communication Surveillance.** A **more in-depth explanation of the legal foundations derived of the jurisprudence of human rights** and the documents of the **United Nations and the Inter-American system are found** in the report ¨**International Legal Analysis of Support and Background** , **document produced as support for the principles.**

A few years ago, the state communication surveillance was a **laborious and complex task that needed many people. The official secret police of the Nazi Germany (Gestapo),** for example, had 40.000 **officials** that **monitored a country of 80**

million people, while the secret police form the former East Germany (Stasi) employed 102.000 to control a population of only 17 million.

Paragraph 9

En este contexto, existe una mayor cantidad de información que dejamos cada vez que usamos un teléfono celular, una computadora o cualquier dispositivo electrónico. Estos datos sobre nuestra comunicación, también conocidos como metadatos, revelan información muy sensible: con quién nos comunicamos y con qué frecuencia, con quién hemos estado y en qué lugar, a dónde vamos todos los viernes al medio día, y cuándo abandonamos ese hábito. Los metadatos son, entonces, aquellos datos vinculados a las comunicaciones que no son el contenido del mismo. Una reciente investigación de la Universidad de Stanford, señaló que los metadatos revelan información muy sensible "que se pueden discernir a partir de una cantidad relativamente pequeña de metadatos". Con los metadatos es posible inferir información sensible aunque no puedas acceder al contenido del mensaje.

In this context, there is a great quantity of information that we leave each time we use a cell phone, a computer, or any other electronic device. These data about our communication, also known as meta-data reveal sensitive information: with whom we communicate with and how frequently, with whom we have been and where, where we go on Fridays at noon, and when we quit that habit. Meta-data are then, the data related to communications that are not the content of the same. A recent investigation of the Stanford University noted that meta-data reveals very sensitive information ¨ that is discerned from a relatively **small amount** of meta-data. ¨

with the meta-data, **it** is possible to infer **sensitive information**, **even if you cannot access the content of the message.**

Paragraph 10

Debemos tener en cuenta, además, que un gran porcentaje de nuestras comunicaciones son intermediadas por empresas que hacen el papel de terceras partes. Si antes guardábamos nuestras cartas, documentos o informes en nuestra oficina o casa, ahora nuestras comunicaciones o documentos se encuentran en la nube en servidores de empresas intermediarias o se transmiten a través de ellas. Estas empresas de internet o telefonía juegan un papel muy importante pues tienen la capacidad de identificar al usuario que usa sus sistemas. Mientras más información recopilan las empresas, más motivos tiene el Estado para querer acceder a esa información. Como hemos visto en los informes de transparencia de grandes empresas de internet que recopilan una gran información personal, el número de solicitudes gubernamentales de datos hacia esas empresas en el mundo solo va en aumento.

In addition, we have to take into account that a large percentage of our communications are mediated by companies that play the role of third parties. If back in the days, we used to keep our letters, documents, or reports in our office or at home, now our communications or documents are found in the cloud in servers of intermediary companies or are transmitted through them. These internet or phone companies play an important role because they have the ability of identifying the user who uses their systems. While more information these companies store, the state more wants to access such information. As we have seen in **the transparency**

reports of **large internet companies** that **collect** great amounts of **personal information**, the number of **governmental data requests to those companies in the world just keeps increasing.**

Paragraph 11

Las tecnologías de vigilancia ofrecidas oscilan desde la vigilancia masiva realizada a poblaciones enteras al mismo tiempo que se han desarrollado técnicas mucho más invasivas que meramente escuchar una conversación en tiempo real. Por ejemplo, las agencias de inteligencia de un Estado realizan acciones encubiertas usando un "software malicioso", o también conocido como malware. Este software permite interrumpir el funcionamiento del ordenador, recopilar información sensible, o permite encender el micrófono o la cámara de una computadora o grabar cada letra presionada en el teclado. Recientemente, ha habido varios informes revelando el uso de estas herramientas que permiten espiar a activistas, periodistas y disidentes. También se ha multiplicado el uso de receptores IMSI (IMSI catchers o también conocidos como Stingrays), un receptor disfrazado de torre de telefonía celular legítima que engaña a un teléfono móvil a conectarse al receptor IMSI con el fin de rastrear la ubicación de un teléfono móvil en tiempo real. Hemos visto su despliegue en varios países, desde Colombia hasta Estados Unidos.

The surveillance technologies offered **range** from massive to **entire populations** while much more **invasive surveillance techniques than just listening to a conversation in real time have been developed. For example,** a **state's intelligence agencies** carry out **uncover actions** using a **malicious software**, **also known as**

malware. This software allows interrupting the functioning of the computer, collect sensitive information, or let to turn on the microphone or camera of a computer or record every key pressed on the keyboard. Recently, there have been several reports that reveal the use of these tools that allow spying on activists, journalists, and dissidents.

The use of IMSI (catchers or also known as stingrays), receptors has been multiplied; a receiver disguised of a legitimate cellular, telephony tower that deceives a mobile phone when connecting to the IMSI receiver with the purpose of tracking the location of a mobile phone in real time. We have seen its **deployment in some countries, from Colombia to United States.**

Paragraph 12

Mientras avanza la tecnología, el derecho, sin embargo se ha quedado atrás. Muchos países están adoptando normas que busca debilitar, en vez de reforzar, las garantías necesarias para limitar la vigilancia a lo necesario y proporcional con un sistema de rendición de cuentas y transparencia sólido que permita proteger a la sociedad de cualquier abuso de poder. Así, en la era digital cuando hablamos de vigilancia no nos limitamos a la mera interceptación de las comunicaciones sino que además esta abarca una serie de actividades: monitorear, interceptar, recoger, analizar, usar, preservar, guardar, interferir u obtener información que incluya o refleje las comunicaciones pasadas, presentes o futuras de una persona.

As technology advances, the **rights, however, have been left behind. Many countries are taking steps to weakening, instead of reinforcing, the necessary**

guarantees to limit surveillance to the necessary and proportional with an accountability system of solid transparency that allow protecting the society of any abuse of power.

Therefore, in the digital age when we talk about surveillance we are not limited to the mere interception of the communications but, moreover, this includes a series of activities: monitoring, intercepting, collecting, analyzing, using, preserving, storing, interfering, or obtaining information that includes or reflects past, present or future communications of a person.

Paragraph 13

Los 13 Principios dejan claro la necesidad de proteger los metadatos y todo tipo de información privada sujeta de protección. Esta información, sujeta de protección, es definida por los Principios como "toda información que incluye, refleja, surge de, o se refiere a las comunicaciones de una persona y que no está fácilmente disponible y accesible para el público en general." Como mencionamos anteriormente, los metadatos pueden incluir la ubicación del teléfono celular, datos de navegación, y los registros de búsqueda, y es tan invasiva (o tal vez más) que la lectura del contenido de un correo electrónico o el escuchar las llamadas telefónicas en tiempo real. Lo importante no es la calidad técnica del tipo de datos que se recolecta, sino el efecto de esa información sobre la privacidad de la personas.

The 13 principles make clear the need of protecting the meta-data and all types of private information under protection. This information, under protection, is defined by the principles as ¨ any information that includes, reflects, comes from, or

refers to, the communications of a person and that is not easily available and accessible to the public in general. ¨

As we mentioned before, the meta-data can include the location of the cell phone, browsing data, and search engines, and it is as invasive (or maybe more) as the reading of the content of an e-mail or listening phone calls in real time. The important is not the technical quality of the kind of data that is collected, but the effect of that information on the privacy of people.

Paragraph 14

Gran parte de la vigilancia estatal a gran escala revelada en los últimos años depende de la confusión sobre si se ha producido una vigilancia real. Algunos han sugerido que si la información solo es recolectada más no vista por una persona, no se ha producido una invasión de la privacidad. Otros argumentan que las computadoras que analizan todas las comunicaciones en tiempo real, por palabras claves y otros selectores, no es vigilancia. Estas interpretaciones pueden ser la diferencia entre la vigilancia proporcional y particularizada versus la vigilancia masiva de la población entera. Las definiciones importan. Es por eso que los 13 Principios han dejado claro que la “Vigilancia de las Comunicaciones” comprende el monitorear, interceptar, recoger, analizar, usar, preservar, guardar, interferir u obtener información que incluya o refleje las comunicaciones pasadas, presentes o futuras de una persona, se derive o surja de ellas.

A large scale of state surveillance revealed in the last years depends on the confusion on if it has been a real surveillance. Some have suggested that if the information is just collected, but not seen by a person, it has not been produced an

invasion to privacy. Others argue that the computers that analyze all communications in real time, by key words and other selectors, it is not surveillance. These interpretations can be the difference between proportional and particularized surveillance, versus **massive surveillance** of an **entire population**. **Definitions are important indeed**.

This is why, the 13 principles have made it clear that the ¨ Communications surveillance, ¨ comprise monitoring, intercepting, collecting, analyzing, using, preserving, storing, interfering or obtaining information that includes or reflects past, present or future communications of a person, derived or came from them.

Paragraph 15

La realidad moderna ha mostrado gracias a las revelaciones de Snowden, que las agencias de inteligencia de Estados Unidos y Reino Unido están involucradas en un ámbito mucho más amplio que las actividades de vigilancia relacionadas con la seguridad nacional o la lucha contra el terrorismo. Por ejemplo, en los Estados Unidos la NSA y sus socios han utilizado sus poderes expansivos de espionaje con <u>motivos</u> políticos y económicos que poco tienen que ver con la seguridad del Estado y sus ciudadanos. Peor aún, recientemente ha sido revelado que la información recogida por las agencias de inteligencia de los Estados Unidos es rutinariamente <u>reutilizada</u>, en secreto, por agencias del orden como la Agencia de Control de Drogas (DEA por sus siglas en inglés), pasando por alto <u>de manera efectiva</u> los controles y equilibrios impuestos a esos organismos nacionales.

The modern reality has shown, thanks to the Snowden revelations, that **United States and United Kingdom intelligence agencies are involved in a much broader area** the **surveillance activities** related to **national security**, **or the fight against terrorism. For example, in The United States, the NSA and its partners have used their expansive espionage powers** with **politic and economic reasons that have little to do with the security of the State and its citizens. Even worse, recently it has been revealed that the information collected** by **United States intelligence agencies** is routinely reused, in secret, by **enforcement agencies** as the **Drug Enforcement Administration (DEA), overlooking the controls and balances imposed on those national bodies.**

5.1.3 Glossary

Glossaries are an important tool for the translation process and the translators make use of them in many of their projects or assignments. A glossary may be used in special papers that acquire certain type of vocabulary or words. A glossary represents an important piece of information since it will provide us with vocabulary and words that may be useful at any point of a work. People at different companies or jobs may incur in the mistake of doing rework in a special project without noticing that they may ease their tasks by having a glossary at hand. According to Lionbridge (2013), a glossary is a tool or document that helps mitigate the consistency problem. It may also be referred to as a lexicon, term base, and terminology collection.

5.1.3.1 Glossary from English into Spanish

Table 5

English term	Spanish term	Grammatical category	Definition
advocacy	defensa, apoyo	noun	The act of supporting something publicly
apprenticeship	aprendizaje, formación	noun	A person who works for another in order to learn a trade
bereavement	pérdida, pesar	noun	An instance or occasion of such a loss
burden	carga	noun	That which is carried
constituency	lectores, votantes	noun	Anybody of supporters, customers, etc.; clientele
caregiver	cuidador, cuidadora	noun	A person who cares for someone sick or disabled
depleted	exhausto, agotado	adjective	To decrease badly; use up the supply of
divert	desviar, distraer	verb	To turn aside or from a path or course; draw off to a different course or use

foster	fomentar, promover	verb	To promote the growth or development of
funding	financiamiento	noun	A sum of money set aside for a specific purpose
grassroots	fundamental, básico	noun as adjective	The basic level of society or of an organization
hardship	adversidad, dificultad	noun	A condition that is difficult to live through; deprivation; oppression
holistic	holístico	adjective	Incorporating the concept of holism in theory or practice
household	familiar, de la casa	adjective	For use in the home, esp. for cooking, cleaning, or laundering
isolation	aislamiento	noun	The state of being isolated
impoverish	empobrecer	verb	To reduce to poverty
livelihood	subsistencia, sustento	noun	A means of supporting one's existence
partnership	sociedad, compañía	noun	The state or condition of being a partner; association; joint interest
ravage	devastar, arrasar	verb	To damage or injure severely

respite	respiro, alivio	noun	A delay; a period of relief
sheer	puro, auténtico	adjective	So thin as to be transparent
shortcomings	defectos, fallas	noun	A failure, defect, or lack, as in conduct, condition
undermine	debilitar, gastar	verb	To weaken or destroy by degrees
vouch	colaborar, responder	verb	To provide proof, supporting evidence, or assurance
workshop	taller	noun	A seminar, discussion group, or the like

Table 5 shows the glossary from English into Spanish. Source: Researcher's own creation.

5.1.3.2 Glossary from Spanish into English

Table 6

Spanish term	English term	Grammatical category	Definition
activistas	activists	noun	Que promueve los ideales de un partido, doctrina, etc
ámbito	field, scope	noun	Espacio comprendido dentro de unos límites determinados
anonimato	anonimity	noun	Carácter o condición de anónimo
criterio	opinion, judgment	noun	Capacidad o facultad que se tiene para comprender algo o formar una opinión
cumplimiento	compliance	noun	Realización de un deber o de una obligación
debate	debate, discussion	noun	Discusión, confrontación de opiniones diferentes
demanda	demand, claim	noun	Petición, solicitud o reivindicación
discernir	distinguish, discern	verb	Distinguir una cosa de otra
estándares	standards	noun	Modelo o patrón

evidencia	evidence, proof	noun	Certeza clara y manifiesta de una cosa
facultad	faculty, ability	noun	Poder, derecho para hacer alguna cosa
interceptación	interception	noun	Obstrucción o bloqueo de una vía de comunicación
jurisprudencia	jurisprudence	noun	Conjunto de sentencias de los tribunales que, por ley, constituyen un precedente para justificar otros casos no regulados
malware	malware	noun	Programa informático diseñado para dañar un sistema, como el virus.
nombramiento	designation, nomination	noun	Escrito en que se designa a alguien para un cargo u oficio
normativa	regulation, rule	noun	Conjunto de normas aplicables a una determinada materia o actividad
preservar	preserve	verb	Conservar, resguardar o proteger de un daño o peligro
privacidad	privacy	noun	Derecho y propiedad de la propia intimidad y vida privada

proporcional	proportional	adjective	Conforme a una proporción, en relación equilibrada
reformar	reform	verb	Cambiar algo para innovarlo y mejorarlo
restricción	restriction, limitation	noun	Reducción, limitación de algo
software	software	noun	Término genérico que se aplica a los componentes no físicos de un sistema informático
transparencia	transparency, clarity	noun	Cualidad de transparente, claro
unanimidad	unanimity	noun	Sin discrepancias, unánimemente
vigilancia	vigilance, watchfulness	noun	Servicio organizado y preparado para vigilar

Table 6 shows the glossary from Spanish into English. Source: Researcher's own creation.

Chapter VI

Conclusions and Recommendations

This last section contains the conclusions and recommendations based on the results of the translation investigation paper. In this chapter, the final information of the writing process is going to be shown to provide analysis as well as observations on the work done throughout the time it was developed. Specific objectives are described along with their respective outcomes to share valuable information for future generations of translation students whose purpose is to analyze a text using the same methodology and techniques.

6.1 Purpose of the Conclusion

The main purpose of the conclusion of this academic paper is to show the most important aspects for the analysis of the objectives which were set at the beginning of the research. Researchers must provide evidence of the data if it has been accomplished or not based on the requirements requested by the institution. For the purpose of this study, the translator will present to the audience or public the effects after analyzing the procedures and methods of translation in two different assigned texts from English into Spanish and from Spanish into English.

6.2 Conclusions

6.2.1 To translate the documents Estándares internacionales para la protección de la privacidad digital from Spanish into English for Acceso and From Faith to Action from English into Spanish for ASCRIGERE.

In both translation papers, it was necessary to read the whole text. First, a quick look into the documents was done to review the information provided by the two institutions Acceso and ASCRIGERE. As Newmark (1988) says, the very first step to start is by reading the original document or text in order to understand it and have the analysis of the source and target language. After that, the researcher tried to understand the message the author was trying to transmit, look for ideas that could confuse the target audience, check for unknown vocabulary, and other additional elements in the grammar part needing special attention to be able to maintain style and coherence at the time of putting writing techniques together to provide clear information to the readers.

For the two documents, From Faith to Action from ASCRIGERE and The International Standards for the Protection of Digital Privacy from Acceso, there was a research carried out in order to find out and know basic and important information to develop some sections of the process. Some specific data found were, institution foundation, objectives, mission, vision, and goals for each company that still today they are struggling to help people who are in poverty or that do not count with information on digital privacy security in the country of Costa Rica and other countries working together for the same purpose.

6.2.2 To apply various translation procedures to the documents in order to achieve communicative texts

This objective contains the information on the translation procedures, which were six in total according to the requirements as part of the process. For Nida & Taber (1982), “Translating consists in reproducing in the receptor language the closest natural equivalent of the source-language message, first, in terms of meaning, and secondly, in terms of style" (p.11). This citation refers to the naturalness and equivalent at the moment of translating to the source language text, this becomes an important aspect to be considered. In addition, Newmark (1988) states, that there are two approaches to translating, the first one is sentence by sentence to get the feeling tone of the text, review the position, and read the rest of the source language text. The second approach is when the whole text is read two or three times, and find the intention, register, tone, mark the difficult words, and passages, and start translating only when you have taken your bearings. The reference from Newmark helped to find the steps he describes in his book. It provides the translator with a guide of specific considerations to make the translation of the text even easier to understand and carry out part of the structure of some of the elements he describes.

As part of the translation techniques, a color coding chart was created to identify which techniques were applied by highlighting them with a corresponding color to understand how they were implemented through specific paragraphs from the English and Spanish texts, so that at the end of the research the results show which translation techniques were presented in the texts. This instrument was very useful since it provides a clearer view in context through the paragraphs selected with the number of instances for each technique.

Once the translation techniques were applied, it could be observed some similarities in both texts, but also some characteristics. In the first text From Faith to Action from Spanish into English, the text and the vocabulary is simple, the target audience is made up by teenagers in general, but also considering that they can work with communities at social or education risk. Literal translation, transposition, modulation and omission were most applied. Explicitation and amplification were used in minor measure.

In the case of the second text, The International Standards for the Protection of Digital Privacy from English into Spanish, transposition was used the most, also literal translation, modulation, and explicitation were applied very frequently. The opposite happened regarding omissions and amplifications because in Spanish it is more common to expand ideas and concepts. The three most common procedures were literal translation, transposition and modulation. Literal translation is the one which was presented the most due to the origin and type of text of the two assigned translations.

6.2.3 To design a glossary with the most relevant terminology found in both texts

According to Lionbridge (2013), a glossary is a tool or document that helps mitigate the consistency problem. It may also be referred to as a lexicon, term base, and terminology collection. The two glossaries helped to keep track of unknown terms for the translator, it is a vocabulary database for the current document that may work for future translations using similar topics, and it also helps the translator maintain consistency and quality in the target text to add value for the work done. The terms included in the first glossary from English into Spanish are simple and only few of them are not commonly used in conversations, words in a usual and sometimes easy context.

On the other hand, the glossary for Spanish into English shows an educated level of comprehension, difficult words that require more investigation than usual. The two glossaries comprehend words that are repeated constantly throughout the text, specific phrases for the topic, technical or official vocabulary, and acronyms. Glossaries are an important tool for the translation process and the translators who make use of them in many of their projects or assignments. A glossary may be taken for special papers that acquire certain type of vocabulary or words. It is an important material which facilitates the work in the translation process.

6.3 Restatement of the Research Question

What is the Effect of the Procedures and Methods Used to Translate the Documents Estándares internacionales para la protección de la privacidad digital from Spanish into English for Acceso Foundation and From Faith to Action from English into Spanish for ASCRIGERE Foundation?

This translation is of benefit for Acceso and ASCRIGERE Foundations, that provided the texts in order for the investigator to work on the techniques to analyze the effects of the methods in each translation and be able to deliver a final job prepared in a way that the end user can be able to understand and use the paper to serve as a primary translation tool. These two translations will bring new knowledge and material to share with other people who are not able to understand the target language of the text and facilitate its understanding with the translated version into their own native language for any particular purpose the text may be useful for.

In addition, the investigation and the study will be of use for all those individuals who are unable to understand a target language and also for those people who want to communicate with different countries to make trades around the world and be in contact in order to make their business grow as they get the benefit from every unit that requires translation services. The two texts will be checked and analyzed as well as reviewed with the support of a tutor who will work together with the researcher to provide the translation that was requested to be done in a specific time to present the final art or version of the paper to the customer. A translator has to show the customer that the job done has a high quality since the prestige of translation and his piece of art will be shown to many people deserve to get the best type of translation and want to have and take advantage of the document.

The effects were analyzed based on the theory cited in Chapter II about text analysis; that is style, stylistic scales, text function, type of translation, and translation techniques according to different authors. After applying the translator's own knowledge, some previous research and theory, it was possible to use the technical translation techniques to transmit the author's message from English into Spanish and from Spanish into English. The two texts are communicative; ASCRIGERE foundation transmits their spiritual message among teenagers and for other institutions interested in the topic of poverty, social, and educational issues in Costa Rica and in some foreign countries that want to provide their support in the most affected communities. The second text from Acceso foundation struggles to provide surveillance standards for the digital privacy for people who do not have the resources to ask for protection nationally or internationally.

6.4 Recommendations

The first recommendation is about the research part. This is highly important and recommended by any person who pursues to grow personally and be rich in terms of knowledge. By taking the time to investigate on a specific topic, an individual can be informed and updated on many different topics that may add value and importance in any type of field around the globe. Currently knowledge is extremely valuable because it represents who one is through the data collected in one´s mind.

The second recommendation refers to the translation techniques. It is highly recommended to search and find translation texts that work as a practice before performing the thesis. This way the student will manage and adapt all the techniques more easily into the paper. If there is plenty of practice and research of each technique, it will be easier for the individuals, since concepts and paragraphs will add coherence and naturalness to the text and will also be communicative for the target audience.

The final recommendation is the elaboration of a glossary. This section was included as a valid instrument into the research paper, since it includes some of the most important or frequently used words along the translation of the texts. Having a glossary will facilitate the work of the student due to the fact that it will keep track of key words that may be useful at any moment for a specific task. Glossaries also help maintain the order of concepts and ideas that work similar to a small dictionary at hand.

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Appendixes