

Legal Communication in International Settings: Interlingual Cultural Issues in Croatian Legal Communication across Professional Contexts

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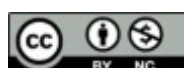
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ABSTRACT

This study explores the challenges Croatian legal professionals face in international legal communication, focusing on the use of foreign legal languages, particularly English. As globalization increases cross-border legal interactions, lawyers, judges, notaries, and corporate counsel are required to communicate across legal systems and cultures. Through interviews with 16 professionals, the research identifies key difficulties, including conceptual and terminological mismatches, system-bound legal terms, and divergent legal procedures. While most participants actively engage in multilingual legal work, many lack formal training in legal language and rely on personal strategies such as online research, peer consultation, and bilingual documentation. The study highlights a strong need for specialized training in foreign legal languages, comparative law, and drafting, especially in areas like contract and company law. It concludes that enhancing intercultural and linguistic competence is essential for improving communication accuracy and legal certainty in international contexts.

Keywords: *International legal communication; Legal languages; Intercultural competence; Legal terminology; Comparative law.*



I. INTERNATIONAL LEGAL COMMUNICATION

In recent decades, driven by the forces of globalization and Europeanisation, international business activities have expanded significantly, mobility has increased, and both European and global labour markets have undergone substantial transformations. As a result, the legal profession faces growing demand for legal services related to cross-border disputes and transactions involving individuals and companies with operations in multiple countries. Legal professionals are increasingly engaged in multilingual and cross-cultural communication, working with both lay clients and legal specialists from diverse linguistic and national backgrounds.

In such international contexts, legal practitioners encounter a wide range of communicative challenges and must overcome additional barriers to achieve the primary objective of legal discourse: clarity and precision (Tiersma, 2000, p. 71). A particular difficulty in cross-cultural legal interaction arises from the absence of a shared language. Typically, legal professionals and their clients or colleagues do not communicate in their native tongues, and law, unlike some other fields of languages for specific purposes (LSPs), has not developed a standardized international terminology—except in the context of European Union law, which is gradually forming such a lexicon (de Groot, 2006, p. 423). Consequently, international legal communication is usually conducted either in the national languages of the parties involved or in a third language serving as a *lingua franca*. Languages for legal purposes (LLPs), including English—the most commonly chosen language for international legal communication—are deeply embedded in their respective national legal cultures. Legal terms are often tied not just to language but to distinct legal systems (Mattila, 2006, p. 105; Šarčević, 2000, p. 231–232). As such, this type of communication, like legal translation, involves navigating both linguistic and legal system differences. It entails not only transferring meaning between languages but also bridging cultural and systemic gaps (Pommer, 2008, p. 17). The lack of direct one-to-one equivalents and inherent issues of (un)translatability are common. Beyond proficiency in foreign

LLPs and an understanding of the usual features of legal language—such as polysemy (Mattila, 2013: 142), complex syntactic structures (Mattila, 2013: 121–123), archaic expressions, and the stylistic characteristics of legal discourse—participants in cross-cultural legal communication must also be attuned to culturally specific obstacles, that is, knowledge asymmetries between legal systems (Engberg, 2020, p. 263) and possess comparative knowledge about significant differences between them (Engberg, 2020, p. 264). Developing effective strategies to navigate these challenges is essential. Legal professionals must be familiar with both the legal and linguistic systems involved and must be capable of conveying legal concepts from one language and system to another, which frequently necessitates either explicit or implicit translation and interpretation (Kocbek, 2006, p. 231).

In Croatia—a country increasingly integrated into the global market and becoming a desirable destination for foreign nationals—a solid command of foreign legal languages, along with an awareness of the unique features and challenges of international legal communication, is essential for legal professionals. However, formal legal education often fails to provide these competencies, leaving legal practitioners to acquire them independently. As a result, they frequently encounter challenges in their daily practice when working with individuals from different linguistic and legal backgrounds.

This study examines the phenomenon of international legal communication from the perspective of Croatian legal professionals. Specifically, it investigates the contexts in which intercultural legal interaction occurs, the foreign LLPs Croatian practitioners employ, and the purposes for which they use them. Given the culturally embedded nature of legal systems and their influence on legal languages, special attention is paid to the communication challenges encountered by various categories of legal professionals when interacting with both specialists and non-specialists from different legal and cultural backgrounds. The study also assesses the extent to which legal practitioners are aware of the risks of miscommunication and misinterpretation arising from these challenges, as well as the strategies—if any—they employ to address them. Finally, the study aims to identify the areas in which the Croatian legal profession requires further education and support to overcome intercultural barriers more effectively.

II. CULTURE-SPECIFIC INFLUENCES AND EQUIVALENCE

International legal communication is inherently multilingual and multicultural, with the core objective of conveying legal meaning across both linguistic and cultural boundaries—from one language and legal system to another. As Baumann and Kalverkämper (1992, as cited in Baumann, 2003. p. 123) note, “communication in any subject-field is subject to culture-specific influences.” However, the cultural entwinement of language and content is especially pronounced in the field of law. Unlike the natural sciences, where the subject matter typically exists universally across societies, legal concepts, institutions, relationships, and procedures are specific to individual national legal systems and are shaped by their unique historical, cultural, social, political, and economic contexts. Every legal system possesses its own legal realia and conceptual framework (Vanderlinden, 1995. p. 328–337). Accordingly, each system develops its own legal language, which is closely tied to and inseparable from the legal tradition in which it evolves. These differences among legal cultures significantly impact legal communication and manifest at various levels: the level of content, conceptual, terminological, and textual levels (Husinec, 2010).

In legal communication, the legal systems involved are considered as the decisive elements of culture affecting communication. Different legal systems structure knowledge differently (Vanderlinden, 1995. P. 328–337; cf. Šarčević, 2000, p. 232), and consequently, legal content is often organized in diverse ways. For example, in English law, driving offences are categorized as criminal offences (specifically, summary-only offences) (Sočanac et al., 2019, p. 130), whereas Croatian law classifies them as misdemeanours governed by the Misdemeanour Act rather than the Criminal Code. Beyond structural differences, conceptual and terminological incongruities are common. For instance, the English legal term legal capacity encompasses two distinct concepts in Croatian law—pravna sposobnost and poslovna sposobnost. Similarly, the French legal concept *décision* corresponds to three different terms in Dutch law: *Beschikking*, *Besluit*, and *Beslissing* (Bauer-Bernet, 1982, p. 192). Another example of

such incongruity involves the term marriage. In English law, marriage includes both opposite-sex and same-sex unions (Marriage (Same Sex Couples) Act 2013), whereas the Croatian Constitution defines *brak* exclusively as a union between a man and a woman (Constitution of the Republic of Croatia, Article 5).

In addition to partial overlaps, certain legal terms exist exclusively in one jurisdiction, representing so-called “conceptual gaps.” For example, company secretary, a high-ranking corporate officer in English company law, has no equivalent in Croatian law (Husinec & Horvatić Bilić, 2021, p. 268). Likewise, terms such as equity and trust are system-bound and unique to the common law tradition (Šarčević, 2000: 233). Legal genres, characterized by high degrees of standardization, are also influenced by legal tradition. These texts reflect culture-specific writing conventions. For example, Croatian contracts often begin with the phrase *ugovorne strane suglasno utvrđuju* (“the parties to the contract consensually confirm”), a formulation not typically found in German contracts (Horvatić Bilić & Husinec, 2023, p. 125). Moreover, legal languages are not always confined to a single jurisdiction. For example, English is used in several legal systems, British, American, Canadian, and Australian, each of which has developed distinct terminology and stylistic conventions. A term like *domicile* may have varying meanings in England and the United States (Nadelmann & von Mehren, 1966, p. 195; Vanderlinden, 1985, p. 321).

When legal professionals communicate about specific legal transactions, such as international contracts, the governing law must serve as the framework for communication (Kocbek, 2008, p. 55). However, when expressing the concepts and institutions of one legal system in the language of another, for example, explaining Croatian law in English, it is essential to identify and account for both the similarities and differences between the conceptual and terminological equivalents in Croatian and English (or U.S.) law. The more culturally distant two legal systems are, the greater the likelihood of intercultural disparities. Expressing or translating legal terms is generally less problematic when the legal systems in question share a common origin. According to Sandrini (1999, p. 17), the translatability of legal texts is directly linked

to the relatedness of the legal systems involved. Advising a German client conducting business in France, in either German or French, is typically less challenging than advising a British client setting up a subsidiary in Croatia. The former scenario involves two civil law systems rooted in Roman law and based on codified legislation, while the latter involves a civil law–common law interface with more profound systemic differences. Such discrepancies frequently result in a lack of conceptual and terminological equivalence (Kocbek, 2006, p. 242, Janulevičienė & Rackevičienė (2012, p. 164)).

Since no two legal systems share identical historical or socio-economic development, nor do they structure legal knowledge in exactly the same way, absolute translatability is rare, even between systems of the same origin (Kocbek, 2006, p. 236). While some linguistic equivalents exist, terms that are formally identical and carry the same legal meaning, they are relatively uncommon. Conversely, certain terms can be deceptive. While they may seem equivalent on the surface, their meanings are influenced by the specific legal and cultural frameworks from which they emerge (Ivanova et al, 2024, p. 203). Most frequently, legal communication relies on functional equivalents. These are terms or concepts that, while not identical, perform the same legal function in different systems. The identification of functional equivalence requires a comparative legal analysis of the terms, concepts, institutions, and features in question, a process that demands familiarity with comparative law (de Groot, 1998, p. 21). Šarčević (2000, p. 235) emphasizes that, since most legal systems address similar fundamental issues, legal comparison is only meaningful when the concepts being compared serve the same function. Drawing on the work of the Internationales Institut für Rechts- und Verwaltungssprache (Lane, 1982, p. 231; cf. Šarčević, 2000, p. 237) and Dahlberg (1981, p. 19; cf. Felber, 1993, p. 41) Šarčević distinguishes between near, partial, and non-equivalence, advocating a conceptual analysis to identify the essential features (those necessary to the concept) and additional, non-essential ones of each legal concept. The first step in establishing equivalence is to analyse the concept in the source language by identifying its essential and accidental features, and then to compare it with the corresponding concept in the target language. If the essential features align and only

some accidental features differ, the concepts are considered near-equivalents. If only some essential and accidental features align, the concepts are partial equivalents. If there is no overlap in essential features, the concepts are non-equivalent.

De Groot (1998, p. 25) proposes a similar two-step procedure for the selection of equivalents: first, analysing the meaning of the source-language term; second, comparing it with the target system to find a concept with matching content. If no suitable equivalent exists, he suggests borrowing the original term, possibly in transcribed form, using a descriptive paraphrase, or creating a neologism with an explanatory footnote. Husinec (2010, p. 158–159), drawing on Nida's (1975, p. 51) theory that "meaning is not a thing in itself, but only a set of contrastive features," proposes componential analysis for identifying functional equivalence. In this method, concepts are broken down into distinctive features, marked with a plus (+) if present and a minus (-) if absent. This approach helps determine the degree of similarity between legal concepts across cultures and minimizes the risk of misunderstanding.

Applying the knowledge communication approach to legal translation Engberg (2020: 266) proposes a three-step procedure for selecting an appropriate equivalent term. The first step involves identifying the core aspects of the broader conceptual knowledge associated with the term in the source-text context (i.e., the source language and legal system). Secondly, it is necessary to determine which of these aspects are relevant in the target context and to analyse the similarities and differences between the source and target language concepts. Finally, formulations should be identified that best enable the receiver to construct the intended mental representation, based on their pre-existing knowledge.

III. METHODOLOGY

To gather relevant data from Croatian legal professionals and identify the challenges they encounter when using foreign legal languages in international legal communication, a combination of qualitative and quantitative research methods was employed.

The primary research instrument consisted of semi-structured interviews based on a set of both closed and open-ended pre-arranged questions. These interviews were conducted via video conferencing using the Google Meet platform and lasted between 45 and 60 minutes. The interview format enabled the collection of in-depth insights and concrete examples, allowing the interviewer to explore the nuances and complexities of the participants' experiences and perspectives. Prior to the interviews, respondents completed a questionnaire (see Husinec, 2025) designed to collect general background information through predominantly closed-ended questions. This preliminary data helped establish which foreign languages are most commonly used in the respondents' cross-cultural legal communication, the typical interlocutors involved, the countries of origin of the communication partners, the specific areas of law in which intercultural interaction is most prevalent, the challenges of intercultural communication the respondents encounter, and, finally, their needs. The same points of interest were further elaborated, commented and exemplified in the interviews to supplement, enrich and clarify the preliminary data gathered in the questionnaire. The data referring to each point of interest in the research and obtained from both, the questionnaire and the interviews, were analysed and synthesized to draw meaningful conclusions. For greater coherence, the combined findings from both instruments are presented in the results and discussion section of this paper.

In total, 16 legal professionals participated in the study. The sample included six lawyers employed in law firms, two in-house counsels working in companies, four judges from a municipal court, two judicial advisers from a county court and an administrative court, one tax advisor, and one notary public. The respondents were experienced professionals: four had more than 20 years of experience, eight had between 11 and 20 years, and four had fewer than 10 years of experience. They were selected using a non-probability snowball sampling method. They were either former students of the Faculty of Law at the University of Zagreb, participants in lifelong learning programs, or professional acquaintances and colleagues of those initially contacted.

IV. RESULTS AND DISCUSSION

IV.1 Foreign Languages, Contexts, and Purposes of International Interaction

The questionnaire data revealed that English serves as the lingua franca of international legal communication in Croatia. All respondents reported that they primarily communicate with foreign clients and partners in English. One exception was a respondent employed in a law firm serving predominantly German-speaking clients, where German is the principal language of interaction. In total, only four respondents reported using German to any extent. No other foreign languages were mentioned. Foreign languages are used daily by nearly all participants; only one respondent indicated that she used them only occasionally.

As indicated in the questionnaire, foreign language skills are primarily employed for communication with clients and foreign partners, as well as participation in international life-long learning programs. In addition, the interviews showed that the purposes for which legal professionals use foreign legal languages differ based on their roles. Judges mainly use foreign languages to participate in international training programs, correspond with foreign institutions and European bodies, consult EU case law and legislation, and complete EU-related documentation (e.g. Regulation on Taking of Evidence in Civil and Commercial Matters). They also occasionally read opinions of Advocates General of the Court of Justice of the European Union. Foreign language skills are further utilized during professional exchanges and study visits organized through the Judicial Academy. Conversely, lawyers, notaries public, and tax advisors use foreign legal languages more intensively in direct communication with international clients in Croatia and with colleagues or partners abroad. Their interlocutors predominantly originate from English-speaking countries, especially the United Kingdom and, to a lesser extent, the United States, followed by German-speaking countries and other European and non-European nations. English is often used even when communicating with nationals of non-English-speaking countries, reinforcing its global utility.

Given the rise in global business cooperation and migration, Croatian legal professionals frequently engage in international matters concerning company law, contract law, family law, civil law, administrative law, and private international law. Most frequently they interpret Croatian law to foreigners in English or German. The interviews revealed that the specific legal issues discussed vary based on professional roles. Judges, for instance, reported using foreign languages in contexts such as informing foreign nationals about international protection rights, processing visa requests, and engaging in judicial exchanges and training. In-house counsel, typically, correspond with foreign law firms, explain domestic court proceedings to international parties, and negotiate contracts or business cooperation terms. Practicing lawyers handle a wide array of legal matters with international clients in both oral and written formats, including discussions on data protection, court representation, trademark protection, legal interests, and company formation procedures in Croatia.

The data collected via the questionnaire additionally uncovered that receptive language skills are primarily used to consult foreign legislative texts, contracts, judgments, decisions from foreign courts, emails, business letters, legal commentaries, and case law from international or European courts. All respondents further reported regularly consulting EU directives and regulations, especially in their English versions. For example, a tax advisor must consult EU legislation on indirect taxation when preparing VAT-related legal opinions for foreign clients. This respondent noted that experts across Europe increasingly emphasize the need to align interpretations with EU case law. Even when Croatian translations of EU legal documents are available, respondents frequently prefer consulting the English originals to better understand nuances or to clarify phrases that “do not sound like natural Croatian” (judge). Many expressed dissatisfaction with the quality of Croatian translations, particularly due to the use of English borrowings when suitable Croatian equivalents exist (e.g., “reverse charge” instead of *prijenos porezne obveze*). Respondents also indicated a need to study foreign legal systems to better advise international clients about how Croatian law differs from their own legal traditions. As one tax advisor explained, understanding

another country's legal framework is essential when providing tax advice to foreign nationals residing in Croatia.

Written communication in foreign languages is predominantly needed for drafting and reviewing contracts, writing emails and legal correspondence, preparing pleadings, and occasionally composing other types of documents. Contracts are the most frequently used written genre. During the interviews, participants elaborated on their activities and needs related to contracts and other types of documents. Most of them reported revising and commenting on contracts drafted by foreign partners.

Illustrative Respondent Quotes:

"Sometimes our partners draft a contract, sometimes I do. They are always in English."

(In-house counsel)

"When my partners send an agreement, I revise it and comment on it."

(Lawyer)

"For employment contracts, I always have to draft the Croatian version first, followed by the English version for the foreign client."

(Lawyer)

"If a contract is in two versions, it must be decided which one prevails. For instance, cooperation agreements in English are always the prevailing ones, whereas employment contracts must primarily be in Croatian."

(Lawyer)

When discrepancies or ambiguous clauses arise between the Croatian and English or German versions, legal professionals research, compare, and amend the text accordingly. Several emphasized the importance of a strong command of foreign legal language to ensure that translated or foreign-drafted documents align with Croatian legal norms and accurately reflect intended legal consequences. Lawyers in firms or corporate settings rarely draft original legal documents in foreign languages, as their work generally pertains to applying Croatian law to foreign individuals or companies.

Consequently, official documents submitted to Croatian authorities must be in Croatian. More commonly, bilingual contracts are drafted, where the foreign language version is provided solely for informational purposes. One lawyer emphasized that in such cases, the prevailing language version must be clearly stated, for instance, company agreements in English are typically considered authoritative, while employment contracts for foreign workers in Croatia must be primarily in Croatian.

Notaries public handle cases delegated by the courts, such as inheritance proceedings involving U.S. citizens, and issue legally binding decisions (e.g., inheritance rulings). All such documents must be drafted in Croatian and subsequently translated for foreign clients. When foreign institutions require these documents, they must be translated by certified court interpreters. As a result, some notary offices and law firms employ certified legal translators on staff. Occasionally, only specific clauses or brief summaries are translated, depending on the client's interest in legal detail.

IV.2. Challenges of Intercultural Legal Communication

The responses from the interviewed legal professionals, as revealed through both applied research instruments, emphasized significant challenges in intercultural legal communication, particularly due to lexical issues rooted in differences between legal systems. The main challenge lies in finding appropriate terminology for system-specific concepts and institutions. In addition to lexical discrepancies, structural differences between legal systems present further obstacles, resulting in partial equivalence or even non-equivalence in terminology. Moreover, purely terminological issues, such as misleading terms that appear to be literal translations but lack conceptual overlap, or false friends also present substantial challenges. To a lesser extent, respondents also mentioned difficulties with syntactic features and diverse communicational conventions across jurisdictions.

IV.2.1. Lexical Challenges

The respondents consistently highlighted differences in legal concepts and institutions between domestic and foreign legal systems as the most challenging aspect of

intercultural legal communication, both in written and spoken forms. These differences make selecting appropriate terminology particularly difficult. A common issue arises with seemingly equivalent concepts in different national jurisdictions, which are assigned linguistically (and sometimes partially) equivalent terms. While these concepts may share certain similarities, there often exists a semantic divergence that requires careful consideration. For example, the concept of *termination of an employment agreement* in the United States differs from *otkaz ugovora o radu* (the Croatian term for “termination of an employment contract”) under Croatian law. Although the terms are literal translations of one another and the outcome for the parties is the same, the procedures differ between the two legal systems. Legal professionals must understand both concepts thoroughly and be able to explain the differences to clients, such as an American citizen employed in Croatia, to ensure that they know what to expect. Similarly, the concept of *copyright* is regulated differently under US law compared to Croatian law. As one lawyer explained, “In the USA, it is the funder who is protected and owns the rights, whereas in Croatia, it is the authors who are protected, and the rights belong to them.” Another example involves the term *attorney in fact* under English law and *trgovačka punomoć* (literally “commercial power of attorney”) under Croatian law. A conceptual comparison reveals that *attorney in fact* is a broader term, referring to a person who is authorized to act on behalf of another to perform some official transactions. In contrast, *trgovački punomoćnik* or *prokurist* is narrower and limited to a commercial activity designating specifically a person authorized to manage a business or part of it under Croatian Companies Act (Article 44). To avoid misunderstandings, one respondent clarifies to her client that *trgovačka punomoć* is based on the *power of attorney*.¹

Additionally, there are instances where legal concepts in different jurisdictions are only partial functional equivalents. For instance, the UK *private limited company* and the Croatian *društvo s ograničenom odgovornošću* (limited liability company) share

1 Kocbek (2006, p. 242) emphasises that the function of a *prokurist* does not exist Anglo-American company law and proposes either the usage of the source-language term or a paraphrase when communicating in English.

certain conceptual similarities but differ in some characteristics. The frequency of such conceptual discrepancies is so high that, as one lawyer noted, “wherever we touch, there is an intercultural problem due to different legal institutions and concepts.” Respondents also described challenges in translating Croatian legal terms into foreign languages, particularly when only one equivalent term exists in a foreign legal system. This situation arose with the Croatian terms *smrtovnica* (the most important document issued upon a person’s death, containing all personal details of the deceased) and *smrtni list* (a simple confirmation of death used, for example, to change names on utility bills). The dilemma was which term corresponds to the English *death certificate*, requiring a detailed semantic comparison between the three concepts. A similar challenge arises with the English procedural term *dismiss*, which in the context of dismissing a judgment corresponds to two distinct Croatian terms, *ukinuti presudu* (dismiss a judgment for formal reasons) and *odbiti presudu* (dismiss a judgment based on material grounds).

IV.2.2 Terminological issues

In addition to conceptual challenges, respondents also encountered purely terminological issues, particularly in relation to misleading terms that are linguistic equivalents or literal translations but lack conceptual equivalence. They are aware that these terms require careful attention in communication, they research on their content, but, as put by one of the interviewed lawyers, are still never quite certain if their lexical choices are correct. An additional difficulty represents the fact that dictionaries sometimes give false information and cause confusion. One of the examples they mentioned is the pair *legal remedy* and *pravni lijek* (literally “legal remedy”). While *legal remedy* and *pravni lijek* are word-for-word translations from one language into another and are often used as equivalents in bilingual English-Croatian dictionaries, they refer to distinct concepts in their respective legal systems. Whereas *legal remedy* represents a type of sanction in common law, legal or equitable relief (Black’s law dictionary, 2004: 1320), *pravni lijek* refers to any legal means by which parties may request the competent authority to review a contested decision, annul it, or replace

it with a legally justified decision, such as any kind of appeal, complaint or objection etc. (Vidaković Mujkić, 2006: 854). The correct Croatian equivalent for *legal remedy* is *pravno sredstvo*. Another example of misleading terms, they mentioned, involves the Croatian *revizija* and the English *revision*. In Croatian, *revizija* refers to the process of auditing a company's financial records to ensure compliance with legal and accounting standards. In contrast, *revision* in English refers to the re-examination of a legal matter, typically by a higher court, to assess the legality of a decision. The appropriate English term for *revizija* in the financial context would be *audit*.

Respondents also face challenges when one term in a foreign legal system corresponds to multiple terms in Croatian law. For example, they are confused by the English company law term *share* which corresponds to the Croatian term *dionica* in the context of public limited companies. The respondents are uncertain whether to translate it as *share* (as in UK private limited companies) or as *business share* when referring to *poslovni udjeli* (lit. *business shares*) held by members of *društvo s ograničenom odgovornošću* (a Croatian type of private limited company). Many respondents opt for the latter translation. Furthermore, according to the interviews, Croatian legal professionals encounter difficulties when attempting to translate similar procedures in different institutional settings. They exemplify this challenge in the following way: When referring to the procedure of *referral* before the European Court of Human Rights, designating the procedure initiated by a party dissatisfied with a judgment of a Chamber within which the Grand Chamber of the Court should re-examine the case, they are unsure whether to use the Croatian term *žalba Velikom vijeću* (appeal to the Grand Chamber), as it would be called in national Croatian procedural terminology, or a more literal translation, *upućivanje Velikom vijeću* (referral to the Grand Chamber). Similarly, when describing the process by which a higher court reviews a contested decision in Croatian law, they must choose between *appeal on points of law* or *revision* in English, depending on the procedural context.²

2 As one of the judges said: „When a Croatian case comes before the ECHR the whole procedure in Croatia has to be described.“

Finally, issues with near-equivalents arise frequently. Legal professionals often face uncertainty when deciding whether to use terms such as *file* versus *submit*, or when to distinguish between *termination* and *rescission* of a contract. Similarly, there is ambiguity surrounding the use of terms like *child support* versus *child maintenance*. Interestingly, some respondents pointed out that knowledge of foreign legal languages, particularly English, is necessary to understand English borrowings incorporated into official translations of international legal documents (e.g., *fiduc agreements* in civil engineering). This situation often occurs when no straightforward one-to-one equivalent exists, which is a direct consequence of the global use of English in business and law. As a result of prolonged exposure to English technical terms, businesspeople may understand the English terms more easily than their native-language counterparts. Indeed, some Croatian legal acts contain borrowings from English (e.g., *leasing*), and legal professionals, as indicated in the interviews, must carefully research these terms' legal consequences to ensure that their clients or companies are fully informed.

IV.2.3. Structural Features

A further challenge encountered by the respondents in their communication with clients abroad, or in cooperation with foreign legal specialist, whether from law firms or courts, is the differing structuring of various areas of law. The interviews confirmed that Croatian jurists are aware of the interdependence between legal systems and their corresponding languages. They noted the procedural differences between Croatian continental law and common law systems, which create difficulties when communicating in English, but also dissimilarities between continental law jurisdictions. They shared that, in most cases, they are required to interpret Croatian law for their clients in a foreign language. To do so effectively, they must understand both the similarities and differences in legal procedures and the structuring of material law in different jurisdictions. According to the respondents, this knowledge is essential for accurately explaining Croatian law and making informed decisions regarding appropriate terminology. For instance, they mentioned that there is often confusion

regarding the procedures designated as an *appeal*, *second appeal*, or *leapfrog appeal* and their application to Croatian law. Additionally, comparisons between the Croatian legal system and the legal system the client is familiar with are necessary to draw the client's attention to differences in regulations, procedures, and legal practices in their own system. One respondent articulated this need as follows: "I research what it's like elsewhere before a conversation so I can explain how things work in Croatia more clearly to my client." (lawyer) One instance of this difficulty occurred when an in-house counsel struggled to navigate the differences between Croatian and Italian procedural law. The company needed to enforce an arbitration tribunal's judgment in Croatia, and the correspondence with Italian lawyers was conducted in English. In order to understand the information provided, the counsel had to familiarize herself with the Italian civil procedure regulations.

IV.2.4. Syntactic Features and Conventions

Syntactic features are generally considered a lesser challenge compared to conceptual and terminological issues, according to the interviewees. Some respondents mentioned that long and complex sentences require careful, slow reading and frequent repetition to ensure that the meaning and legal consequences are fully understood. Additionally, one lawyer pointed out that issues with prepositions occasionally arise, leading to minor confusion.

When it comes to conventions unique to legal cultures, particularly in drafting legal documents, according to the questionnaire and the interviews respondents deemed these differences to be minor obstacles, which they manage with relative ease. However, they pointed out in the interviews that the levels of politeness in legal correspondence differ across cultures. For example, formal written communication in English and German requires more explicit politeness than in Croatian, which can make translation from Croatian more challenging. Additionally, respondents often encounter difficulties with formulaic language. For example, some were unsure when to use phrases like *Dear Sir or Madam* and *Yours sincerely* in correspondence. One respondent, who recently switched from a law firm to a legal department in a company corporate, discussed how

she had to “unlearn” the formal writing style she was accustomed to as a lawyer and adjust to the more informal communication style typical in the IT sector.

The following is an example of informal communication style from an IT sector, that the lawyer had to switch to:

Sales - Client Wants to Change Contract

On Thu, 1 Aug at 19:38, xx <xx> wrote:

“Hey! How are you?

I’m Bruno from the sales team, and I need help with this situation:

The client xx, from xxx, wants an ad with us. I sent them the standard contract, and they responded with information about proposed changes to the contract (attached).

I want to know from our legal system what changes are possible and what are not. I’m attaching the contract here.

Best,

Bruno”

A legal convention from a client’s non-English-speaking native culture may also cause confusion when incorporated into a document drafted in English. One lawyer, for instance, shared in his interview that he faced difficulty interpreting a date written in an English document, which did not adhere to any of the standard English date-writing conventions. Upon further investigation, it was revealed that the date was written according to the Shia calendar, a convention specific to the client’s culture.

IV.2.5. Approaches to Overcoming Intercultural Legal Challenges

The interviews revealed that Croatian legal professionals are highly aware of how cultural differences between legal systems impact language, as well as the importance of clarity and accuracy in legal communication. To prevent misunderstandings and

ensure efficiency and precision in cross-cultural and cross-linguistic communication, many respondents emphasized the need for legal and linguistic research, as well as systematic comparisons. They shared, that they typically conduct comparative research on structural features, such as specific procedural law practices or classifications of criminal offenses and torts, to identify conceptual diversities. Most often, they use the internet for this research, ensuring that they rely on reputable websites that present legal and linguistic content. When searching for appropriate terms, many start with machine translation programs and then cross-check the terms within context. Mutual consultation with colleagues is also a helpful strategy, and occasionally, when their own knowledge proves insufficient, they engage professional translators or interpreters. However, they also acknowledged that translators often lack the specialized legal expertise needed for certain branches of law, leading to potential inaccuracies.

Below are some examples of how respondents navigate intercultural challenges:

“I need to research a foreign legal system to know how to approach the case in which my company is a party.” (In-house counsel)

“I research different types of companies and their specific features in a particular state to understand which one would be equivalent to what we want to set up and find partners there.” (In-house counsel)

“I use Google Translate or Glosbe and online dictionaries. If that doesn’t work, I search the term in context.” (Tax adviser)

“When I didn’t understand or wasn’t sure about the application of terms in contracts related to EU-funded projects, I Googled translations in other contracts. For instance, the term *prometna sigurnost* (traffic safety).” (In-house counsel)

“The assessment of the appropriateness of expressions and forms of written communication (informal, official, or overly formal) is very difficult.” (Lawyer)

Despite the challenges posed by conceptual and terminological differences, legal specialists with a higher level of foreign language proficiency and greater self-confidence in communication demonstrated greater resourcefulness in overcoming

intercultural issues. Respondents with lower proficiency in foreign legal languages are often uncertain about their choice of terminology and reluctant to use it without consulting colleagues. Some even refrain from drafting legal opinions in a foreign language due to concerns over making mistakes and causing misunderstandings. A tax consultant who frequently interprets Croatian tax regulations and double taxation agreements expressed her concerns as follows: “I am scared of drafting a legal opinion in English because the Croatian and English tax systems are fundamentally different.” As a result, she prefers drafting legal opinions in Croatian and leaving the responsibility for accurate translation to the client and their professional translator. This approach is not only her personal preference but also the policy of her tax consulting agency. Similarly, a notary public mentioned that despite her experience with researching and comparing English and Croatian versions of official documents, she still finds translation and drafting difficult and is unsure if her terminological choices are always accurate.

IV.3 Needs

In light of the challenges discussed above, it is unsurprising that all interviewed legal professionals in Croatia indicated a strong need for additional support, particularly in the form of supplementary resources and various types of lifelong training programs (as revealed in the questionnaire). The respondents emphasized in the interviews that language resources and foreign language training programs are essential, especially for trainees at the start of their careers, as well as for more experienced jurists.

Among the most commonly expressed needs were comprehensive lists of phrases used in different types of legal communication, such as legal negotiations, presentations, video calls, and in various legal genres (contracts, email correspondence, judgments). These resources should also cover different branches of law, including company law, contract law, and administrative law. Additionally, many respondents expressed in their replies in the questionnaire a need for specialized terminological and collocational online dictionaries. While the respondents acknowledged the utility of existing dictionaries to some extent, they unanimously agreed that education and

training are the most effective means of improving their proficiency and intercultural competence in legal communication. Given the difficulties they face with terminology, it was anticipated that many would welcome additional training in this area. As such, many respondents expressed interest in participating in terminological workshops. Furthermore, they highlighted the need for specialized training courses that target the specific areas of law in which they specialize. One respondent summed up this need as follows: *“I feel that I have an insufficient level of knowledge of legal English and lack training that would focus on the areas of law I specialize in.”*

In addition to terminology workshops, some respondents expressed a desire to attend legal drafting courses. While these two types of training—terminology workshops and legal drafting—were the most commonly requested, each respondent had their own unique set of needs articulated. For instance, some jurists wanted to practice negotiation or presentation skills, while others sought more comprehensive and detailed courses that would encompass a broader range of language skills. Despite these varying preferences, the majority of respondents appreciated shorter, more flexible formats for lifelong training, such as workshops or seminars, which are time-efficient yet still offer opportunities for communication in a foreign language. However, some respondents felt that longer courses would better serve their needs. They argued that longer courses allow for more opportunities for daily communication in a foreign language and provide a more systematic approach to language learning.

For example, some respondents shared the following insights:

“A judge must know how to introduce and present himself/herself.” (Judge)

“Longer courses would be better because, in shorter courses, we don’t have as much opportunity for everyday communication in a foreign language.” (Judicial Adviser)

“I would be interested in longer courses in which I could systematically work on my foreign language.” (Notary Public)

“If you attend a longer course, you can socialize and communicate with colleagues.”
(Judge)

“Legal negotiation, business communication, and legal drafting are extremely important for trainees.” (Lawyer)

“I need a good training program, and it would help if I had someone to consult.” (Notary Public)

In conclusion, the interviewed legal professionals expressed a strong desire for targeted training that would address both their specific legal expertise and the linguistic challenges they face in their daily work. Specialized programs, longer courses, and opportunities for practical communication in foreign languages were seen as essential to enhancing both their legal and intercultural competencies.

V. CONCLUSIONS

This study showcases that international legal communication presents significant linguistic and intercultural challenges for Croatian legal professionals. As legal practice increasingly crosses national and linguistic borders, professionals are required to navigate complex differences in legal terminology, concepts, procedural structures, and communicative conventions. English has emerged as the primary lingua franca, yet its use is complicated by the deep entrenchment of legal terms in national legal cultures and systems. The findings confirm that conceptual and terminological non-equivalence, lexical ambiguity, and structural differences between legal systems are among the most pressing issues legal professionals face in practice. While respondents show a strong awareness of these challenges and frequently employ various strategies—such as legal research, comparative analysis, and consultation with colleagues—the need for more structured and targeted support is evident. Participants expressed a strong demand for specialized lifelong learning programs, legal language resources, and targeted training in legal languages, legal drafting, and negotiation skills. These tools are essential not only for enhancing language proficiency but also for developing the intercultural competence necessary for effective communication in a multilingual and multicultural legal environment. Ultimately, this study highlights the importance of

integrating comparative legal analysis and legal linguistics into professional development for lawyers, judges, and legal staff. By fostering greater awareness and preparation for intercultural legal communication, the Croatian legal profession can more effectively meet the demands of an increasingly globalized legal landscape.

REFERENCES

- Aisha Kakembo, Annet. (2025). Communication barriers in cross-cultural legal situations. *Research Invention Journal of Current Issues in Arts and Management*, 4(2), 34–37. <https://doi.org/10.59298/RIJCIAM/2025/423437>
- Bauer-Bernet, Hélène. (1982). Le multilinguisme du droit de la Communauté européenne. In Gémar, Jean-Claude. (Ed.), *Langage du droit et traduction* (pp. 189–205). Linguattech/Conseil de la langue française.
- Baumann, K. D. (2003). Die Vermittlung einer fachkommunikativen Kompetenz als berufsrelevante Perspektive der universitären Fremdsprachenbildung. In P. Jung & O. Kolesnikova (Eds.), *Fachsprachen und Hochschule* (pp. 189–205). Peter Lang.
- Engberg, Jan (2020). Comparative Law for Legal Translation: Through Multiple Perspectives to Multidimensional Knowledge. *International Journal of Semiotics of Law*, (2020) 33:263-282. <https://doi.org/10.1007/s11196-020-09706-9>
- Garner, Bryan, A. (Ed.). (2004). *Black's law dictionary* (8th ed.). Thomson West.
- Constitution of the Republic of Croatia. (2014, January 15). Retrieved May 3, 2025. See website: https://www.usud.hr/sites/default/files/dokumenti/The_consolidated_text_of_the_Constitution_of_the_Republic_of_Croatia_as_of_15_January_2014.pdf
- de Groot, Gerard-René. (1998). Language and law. In *Netherlands reports to the fifteenth International Congress of Comparative Law* (pp. 21–32). Intersentia.

de Groot, Gerard-René. (2006). Legal translation. In Smits, Jan, M. (Ed.), *Elgar encyclopedia of comparative law* (pp. 423–433). Edward Elgar Publishing.

Doczekalska, Agnieszka. (2013). Comparative law and legal translation in the search for functional equivalents: Intertwined or separate domains? *Comparative Legilinguistics*, 2013(16), 63–75. <https://doi.org/10.14746/cl.2013.16.5>

Ivanova, Tatiana, Amirova, Zohida, Khushmanova, Gulshod, Khujakulov, Sunnatullo. (2024). The Role of Lexical Choices And Semantic Interpretation In Legal Term Usage: A Comparative Study of English And Uzbek. *Frontiers in Health Informatics*, (2024), Vol. 13, Issue 6, 194-204.

Janulevičienė, Violeta, & Rackevičienė, Sigita. (2012). Legal language in intercultural communication. *Santalka: Social Sciences*, 20(2), 164–170. <https://doi.org/10.3846/cpc.2012.16>

Horvatić Bilić, Irena., & Husinec, Snježana. (2023). Fachspezifische Texte im Rechtswesen am Beispiel der Textsorte Vertrag. In Schicker, Stephan & L. Miškulin Saletović, Lucia. (Eds.), *Sprachliche Handlungsmuster und Text(sorten)kompetenz: Ein Sammelband im Rahmen der IDT 2022* (pp. 113–128). Graz University Library Publishing. See website: <https://library-publishing.uni-graz.at/index.php/lp/catalog/view/52/364/850>

Husinec, Snježana. (2025). *Questionnaire – Legal Communication in International Settings – Needs and Challenges* [Data set]. Zenodo. <https://doi.org/10.5281/zenodo.15828570>

Husinec, Snježana. (2010a). Interkulturelle Elemente im Fachsprachenunterricht. In Vičič, Polono & Orthaber, Sara. (Eds.), *Proceedings of The International Language Conference on the Importance of Learning Professional Languages for Communication between Cultures 2010* (pp. 1–10). Faculty of Logistics, University of Maribor.

Husinec, Snježana. (2010b). The use of comparative legal analysis in teaching the language of the law. In Gotti, Maurizio & C. Williams, Christopher, J. (Eds.), *Legal discourse across languages and cultures* (pp. 155–176). Peter Lang.

- Husinec, Snježana., & Horvatić Bilić, Irena. (2021). A comparative analysis of collocations in UK and Croatian company law. *ESP Today*, 9(2), 251–271. <https://doi.org/10.18485/esptoday.2021.9.2.4>
- Kocbek, Alenka. (2006). Language and culture in international legal communication. *Managing Global Transitions*, 4(3), 231–247.
- Kocbek, Alenka. (2008). The challenges of intercultural legal communication. *Journal of Language and Politics*, 1(1), 53–71. <https://doi.org/10.1075/jlp.1.1.05koc>
- Marriage (Same Sex Couples) Act 2013. (2013). Retrieved May 2, 2025. See website: <https://www.legislation.gov.uk/ukpga/2013/30/contents>
- Mattila, Heikki, E. S. (2006). *Comparative legal linguistics*. Ashgate Publishing.
- Mattila, Heikki, E. S. (2013). *Comparative legal linguistics*. Routledge.
- Nadelmann, Kurt H., & von Mehren, Arthur, T. (1966). Equivalences in treaties in the conflicts field. *American Journal of Comparative Law*, 15, 195–203.
- Nida, Eugene A. (1975). *Componential analysis of meaning: An introduction to semantic structures*. Mouton Publishers.
- Pommer, Sieglinde. (2008). Translation as intercultural transfer: The case of law. *SKASE Journal of Translation and Interpretation*, 3(1). Retrieved May 2, 2025. See website. https://www.researchgate.net/publication/237642950_Translation_as_Intercultural_Transfer_The_Case_of_Law
- Poslovnik suda. (n.d.). Retrieved May 3, 2025. See website: <https://uredzastupnika.gov.hr/UserDocImages/dokumenti/POSLOVNIK/Poslovnik%20ESLJPa.pdf>
- Sandrini, Peter. (1999). Translation zwischen Kultur und Kommunikation: Der Sonderfall Recht. In Sandrini, Peter. (Ed.), *Übersetzen von Rechtstexten: Fachkommunikation im Spannungsfeld zwischen Rechtsordnung und Sprache* (pp. 9–43). Narr.
- Sočanac, Lelija, Matijašević, Miljen, Javornik Čubrić, Marijana, Husinec, Snježana & Horvatić Bilić, Irena. (2019). *English for the legal profession*. Narodne novine.

Šarčević, Susan. (1989). The conceptual dictionaries for translation in the field of law. *International Journal of Lexicography*, 2(4), 277–293.

Šarčević, Susan. (2000). *New approach to legal translation*. Kluwer Law International.

Tiersma, Peter M. (2000). *Law and language*. The University of Chicago Press.

Vanderlinden, Jacques. (1995). *Comparer les droits*. Story-Scientia.

Vidaković Mujkić, Marta. (2006). *Opći pravni rječnik* (2nd Ed). Zagreb, Narodne Novine d.d.

Zakon o trgovačkim društvima. (n.d.). Retrieved May 3, 2025, from <https://www.zakon.hr/z/546/zak>

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