

Language Analysis for the Determination of Origin (LADO)

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Language analysis for the determination of origin (LADO) is a relatively new branch of applied linguistics. Generally considered a forensic application, it is used by governments to assess asylum seekers applying for refugee status.

The United Nations' 1951 Geneva Convention defines a refugee as a person with a well-founded fear of being persecuted in their home country for reasons of race, religion, nationality, membership of a particular social group, or political opinion. Asylum seekers who arrive in a country which signed the Geneva Convention, and are able to demonstrate such a well-founded fear, can claim the status of refugee, giving them rights of immigration to that country.

Since many asylum seekers, for a variety of reasons, arrive without reliable identity papers, the first task of immigration authorities is to determine whether applicants' claims are valid, or whether they may be misrepresenting their identity in order to gain entry to the country.

To aid in this determination, applicants are interviewed to test their knowledge of the language, culture, and region of the persecuted group they claim to belong to (European Union, 2008). In some cases, their speech is analyzed to determine whether it shows features of the specific language variety of the claimed group. This last procedure is LADO.

In principle, LADO is a reasonable endeavor. It is well known that people's lifelong speech patterns are shaped by their regional and social background, and language analysis is used to provide evidence of origin in other areas of forensic linguistics (e.g., French, Harrison, & Windsor Lewis, 2006). However, there are many cautions to consider when using this kind of evidence (McNamara, 2005). Like any forensic language analysis, it requires not just knowledge of the language in question, but expertise in relevant branches of linguistics (Rodman, 2002).

Though native speakers of any language commonly have a strong sense of confidence in identifying the regional or social origin of other speakers by their speech patterns, numerous studies have shown their ability is far less robust than their confidence warrants (see Fraser, 2009). This is true even for speakers of prototypical varieties of well-defined dialects of long-studied European languages, and the LADO situation is typically far less stable. Asylum seekers frequently come from communities featuring complex multilingualism or diglossia, and many have been displaced from their home region for long periods, often in mixed refugee camps, resulting in significant modification to their speech. Factors like these can make decisions about who counts as a "native speaker" of a particular language variety genuinely problematic.

All this means LADO requires high-level expertise not just in the linguistic and socio-linguistic patterns of the language, but also in methods for collecting and analyzing language data according to appropriate standards, and presenting conclusions objectively, with proper evaluation of their limitations (Eades, 2005).

The problem is that asylum seekers often come from regions which by their nature have provided few opportunities for scholarly study of relevant language varieties, and it can be difficult to find appropriate experts. It has become common for immigration departments to use the services of agencies established to broker relationships between governments and analysts.

These agencies operate under pressure to process large numbers of asylum seekers from a wide variety of backgrounds, and, despite their extreme confidentiality, considerable

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evidence has shown that some hire underqualified “native speakers,” not always from appropriate language backgrounds, who provide over-confident judgments of origin on the basis of inadequate data (Eades, Fraser, Siegel, McNamara, & Baker, 2003; Reath, 2004; Singler, 2004).

A set of 12 guidelines, developed by an international group of linguists in 2003–4, and widely endorsed by the scholarly community, aims to help governments choose agencies which conduct LADO according to accepted academic procedures (Language and National Origin Group, 2004). Regrettably, however, the LADO industry is unregulated. While some agencies voluntarily respect the guidelines, there is no requirement to do so, and ongoing evidence shows some still employ underqualified analysts and questionable methods (Patrick, 2009).

Recently, members of one agency have sought recognition for a method whereby “native-speaker analysts,” lacking qualifications in linguistics, can nevertheless produce reliable LADO reports if trained and tested by a supervisor who does have linguistics expertise. This method conflicts with Guideline 3, which insists LADO should be carried out only by analysts with expertise in both linguistics and the language in question, but is argued to have the advantage of giving greater weight to native-speaker intuition than analyses conducted by academic experts who are not necessarily native speakers (Cambier-Langeveld, 2007, 2010).

Discussion of this method has raised some theoretical debate as to whether it is, in principle, possible for valid LADO judgments to be made by a team consisting of a native speaker lacking knowledge of linguistics and a linguist lacking knowledge of the language, or whether valid analysis requires expertise in both linguistics and the language in question embodied in one person (de Graaf & Verrips, 2009; Eades, 2009).

Other debates concern whether LADO is best treated as a language test or as forensic evidence, and, more generally, how to integrate methods and principles from phonetics, sociolinguistics, and other relevant disciplines.

There is clearly a need for a great deal more research on these and other issues. More pressing, however, is the practical task of ensuring that all LADO reports are produced according to standards appropriate to both linguistic science and the human rights and national security issues that are at stake. Collaboration between academic linguists, governments, and the more responsible LADO agencies is essential to achieving this aim.

Important steps in this direction have been made by several interdisciplinary workshops, including: “Linguistic analyses within the asylum procedure” (2008) by the Lingua unit of the Swiss Office for Migration (http://www.bfm.admin.ch/bfm/en/home/themen/migration_analysen/sprachanalysen/lingua.html); a 2010 European Science Foundation Exploratory Workshop, “Language and origin” (<http://www.esf.org/activities/exploratory-workshops/humanities-sch/workshops-detail.html?ew=9418>); and, also in 2010, “Challenges and Commonalities in Providing Objective Evidence for Refugee Status Determination” by the independent research center CORI (<http://www.cori.org.uk/3.html>).

Establishment of an international Language and Asylum Research Group at the University of Essex should enable further significant developments in both research and practice.

SEE ALSO: Cultural Identity; Forensic Linguistics; Human Rights; Language Assessment and Testing; Linguistic Human Rights; Multilingualism; Native Speaker

References

- Cambier-Langeveld, T. (2007). *Hot issues in the field of "language analysis"*. Retrieved February 9, 2011 from [http://www.iafpa.net/presentations07/Cambier-Langeveld_\(Pres\)_-_IAFPA_2007.pdf](http://www.iafpa.net/presentations07/Cambier-Langeveld_(Pres)_-_IAFPA_2007.pdf)
- Cambier-Langeveld, T. (2010). The role of linguists and native speakers in language analysis for the determination of speaker origin. *International Journal of Speech Language and the Law*, 17, 67–93.
- de Graaf, A., & Verrips, M. (2009). *Language analysis as a method to determine national or regional origin in asylum cases*. Retrieved February 10, 2011 from <http://www.nomadit.co.uk/refuge/refuge2009/panels.php5?PanelID=562>
- Eades, D. (2005). Applied linguistics and language analysis in asylum seeker cases. *Applied Linguistics*, 26, 503–26.
- Eades, D. (2009). Testing the claims of asylum seekers: The role of language analysis. *Language Assessment Quarterly*, 6, 30–40.
- Eades, D., Fraser, H., Siegel, J., McNamara, T., & Baker, B. (2003). Linguistic identification in the determination of nationality: A preliminary report. *Language Policy*, 2, 179–99.
- European Union. (2008). Common EU guidelines for processing country of origin information (COI), April 2008. UNHCR Refworld Document ID 48493f7f2.
- Fraser, H. (2009). The role of "educated native speakers" in providing language analysis for the determination of the origin of asylum seekers. *International Journal of Speech Language and the Law*, 16, 113–38.
- French, P., Harrison, P., & Windsor Lewis, J. (2006). R v John Samuel Humble: The Yorkshire Ripper hoaxer trial. *International Journal of Speech Language and the Law*, 13, 255–73.
- Language and National Origin Group. (2004). Guidelines for the use of language analysis in relation to questions of national origin in refugee cases. *International Journal of Speech Language and the Law*, 11, 261–6.
- McNamara, T. (2005). 21st century shibboleth: Language tests, identity and intergroup conflict. *Language Policy*, 4, 351–70.
- Patrick, P. (2009). *Sociolinguistic issues in language analysis for asylum determination*. Retrieved February 10, 2011 from <http://www.nomadit.co.uk/refuge/refuge2009/panels.php5?PanelID=562>
- Reath, A. (2004). Language analysis in the context of the asylum process: Procedures, validity and consequences. *Language Assessment Quarterly*, 1, 209–33.
- Rodman, R. (2002). Linguistics and the law: How knowledge of, or ignorance of, elementary linguistics may affect the dispensing of justice. *International Journal of Speech Language and the Law*, 9, 92–101.
- Singler, J. V. (2004). The "linguistic" asylum interview and the linguist's evaluation of it. *International Journal of Speech Language and the Law*, 11, 222–39.