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REPORT FROM THE COMMISSION TO THE COUNCIL

**on the Union institutions' progress towards the implementation of the gradual reduction
of the Irish language derogation**

I. Introduction

When it joined the European Communities in 1973, Ireland did not ask for Irish to be one of the institutions' official and working languages, but only to have the Treaties translated into Irish and for its citizens to have the right to communicate with the institutions in Irish. Consequently, Irish was not added to the list of official and working languages in Regulation No 1¹ and the institutions did not draft or publish legislation in Irish.

In 2005, Ireland requested that Irish become an official and working language of the Union, proposing a restricted regime whereby only Regulations adopted jointly by the European Parliament (EP) and the Council would be drafted in Irish. The Council granted that status from 1 January 2007 by Regulation (EC) No 920/2005², with a derogation stipulating that only EP and Council Regulations had to be drafted in Irish. The derogation was adopted for 5 years and, following a review in 2010, extended for a further 5 years to 31 December 2016³. In 2015, as part of its policy of encouraging the use and knowledge of Irish, the Irish Government asked the Council to gradually reduce the scope of the derogation with a view to phasing it out by 1 January 2022. Accordingly, the Council adopted Regulation (EU, Euratom) 2015/2264⁴ in December 2015. This gave rise to an unprecedented situation in which the institutions had to build up a new language regime with an existing Member State.

The Annex to Regulation (EU, Euratom) 2015/2264 sets out a timetable for gradually reducing the derogation, as follows:

- first increment (from 1 January 2017) – Directives of the EP and the Council;
- second increment (from 1 January 2018) – Decisions of the EP and the Council;
- third increment (from 1 January 2020) – Council Regulations and Directives, and Council Decisions which do not specify to whom they are addressed; and
- fourth increment (from 1 January 2021) – Commission Regulations and Directives, and Commission Decisions which do not specify to whom they are addressed.

The Regulation requires the Commission to report twice to the Council on its implementation before the derogation ceases to apply. No later than October 2019, the Commission is to report on the institutions' progress on implementing the gradual reduction. After considering the report, the Council may decide to revise the timetable set out in the Annex.

¹ Council Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385) and Council Regulation No 1 of 15 April 1958 determining the languages to be used by the European Atomic Energy Community (OJ 17, 6.10.1958, p. 401).

² Council Regulation (EC) No 920/2005 amending Regulation No 1 of 15 April 1958 determining the language to be used by the European Economic Community and Regulation No 1 of 15 April 1958 determining the language to be used by the European Atomic Energy Community and introducing temporary derogation measures from those Regulations (OJ L 156, 18.6.2005, p. 3).

³ Council Regulation (EU) No 1257/2010 extending the temporary derogation measures from Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community and Regulation No 1 of 15 April 1958 determining the languages to be used by the European Atomic Energy Community introduced by Regulation (EC) No 920/2005 (OJ L 343, 29.12.2010, p. 5).

⁴ Council Regulation (EU, Euratom) 2015/2264 extending and phasing out the temporary derogation measures from Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community and Regulation No 1 of 15 April 1958 determining the languages to be used by the European Atomic Energy Community introduced by Regulation (EC) No 920/2005 (OJ L 322, 8.12.2015, p. 1).

The Commission is to report again, no later than June 2021, ‘on whether the institutions have sufficient available capacity, relative to the other languages, to apply Regulation No 1 determining the languages to be used by the European Economic Community, and Regulation No 1 determining the languages to be used by the European Atomic Energy Community, without a derogation as of 1 January 2022’. In the absence of a Council Regulation providing otherwise, the derogation will cease to apply as from 1 January 2022.

This **first implementation report** takes stock of progress between January 2016 and mid-2019.

II. Progress on implementing the gradual reduction of the derogation

a. Cooperation with Ireland

The institutions and Ireland have been working together to implement Regulation (EU, Euratom) 2015/2264. Under Article 2 of the Regulation, the ‘Irish authorities and the Commission, in collaboration with the other Union institutions, shall meet regularly to monitor the recruitment of a sufficient number of Irish language personnel by the Union institutions, in order to successfully handle the gradual reduction of the derogation (...), and to monitor the capacity and use of external service providers in order to cater for the Irish language requirements of the Union institutions’.

Accordingly, a **monitoring group on the Irish language derogation**, consisting of representatives of the language services of the Union institutions and Ireland, was set up. The group started work in 2016 and will continue until the Regulation ceases to apply. It has a two-tier structure:

- at steering level, the Commission (represented by the Directorate-General for Translation), in collaboration with the other institutions and Ireland (represented by the Department of Culture, Heritage and the *Gaeltacht*), meet annually to monitor progress and adopt annual priorities in the following areas:
 - relevant recruitment to the institutions;
 - the capacity of external service providers;
 - increased collaboration on language resources; and
 - issues relating to the availability of the *acquis*; and
- at operational level, representatives of the institutions’ language services and the Department of Culture, Heritage and the *Gaeltacht* meet at least twice a year, pursue work on the annual priorities and report to the steering level on progress.

Since the adoption of the Regulation, the Commission and Ireland have jointly organised three annual conferences in Dublin on the Irish language.

The **state of progress** in the main areas is outlined overleaf.

b. Delivery of translation into Irish

The institutions' demand for translation is composed first and foremost of legislation, and then of other, non-legislative documents according to political and other communication requirements. By delivering the first two increments in 2017 and 2018 (addition of Directives and Decisions adopted by the EP and the Council), the institutions began to increase the range of legislation translated into Irish. **The first two increments were implemented in full.**

In line with recital 4 of Regulation (EU, Euratom) 2015/2264, the institutions also translated other content to increase the availability of information in Irish on the activities of the Union. With the regulatory material and this additional content combined, the institutions⁵ have **more than doubled the volume of translation into Irish** since 2016.

To prepare to deliver the next incremental increases scheduled for 2020 and 2021, the Commission has analysed forecasts of demand by document type. The forecasts indicate that the 2020 and the 2021 increments may lead to up to a **further doubling in volume** for some institutions between end-2018 and 2021. Once the derogation expires in 2022, the remaining segment of demand (e.g. communications, consultations and reporting material) is estimated to trigger a further 40% increase in the overall demand for translation into Irish in the Commission⁶. As a result, demand for Irish in all other language services is also set to rise significantly.

c. Recruitment of Irish-language staff

The key component of capacity for implementing Regulation (EU, Euratom) 2015/2264 is a **sufficient number of Irish-language staff**. In 2015, the institutions and Ireland identified the main challenge that would be posed by the end of the derogation: the small pool of Irish-language experts. To build up production capacity by 1 January 2022, the institutions therefore planned a series of **EPSO competitions for 2016, 2018 and 2020**.

An estimate was made of all institutions' recruitment needs on the basis of the 2014 staffing figures⁷. A review of resources has been carried out since and adjustments are ongoing to the resources mix of in-house staff, freelance translation capacity and language technology resources. To deliver the increase in translation into Irish, it is essential to continue building up and combining, to different extents in the different institutions, these three main aspects of Irish language capacity.

The institutions continue to allocate new posts to their Irish-language departments. Since the end of 2015, **the number of in-house Irish-language staff has risen from 58 to 102**.

EPSO competitions for GA⁸ translators and linguistic assistants were launched in 2016. The translator competition attracted 210 applicants and yielded 10 successful candidates against a

⁵ EU institutions with the biggest translation services, i.e. Commission, EP and Council.

⁶ For the Commission alone, the increase was approx. 8,000 to 19,000 between 2016 and 2018, forecast to rise from 19,000 to approx. 50,000 between 2018 and 2021, and from 50,000 to approx. 83,000 as of 2022.

⁷ Financial Statement prepared by the Commission for the adoption of Regulation (EU, Euratom) 2015/2264.

⁸ GA is the ISO language code for Irish.

target of 62. Some 8 of 10 were already employed by the institutions⁹ on temporary contracts, so the net gain in capacity was 2. For the linguistic assistants competition, the recruitment target was 13; 9 out of 118 applicants succeeded, of whom 6 were employed by the institutions¹⁰ on temporary contracts, giving a net gain in capacity of 3.

A lawyer-linguist EPSO competition was launched in 2017. It attracted 26 applicants and yielded 3 successful candidates.

The 2018 translator EPSO competition attracted 190 applicants and yielded 15 successful candidates. To maximise the chances of success in the selection procedure, the application deadline was extended by 2 weeks and the testing sequence was changed so that the translation tests came before the computer-based tests.

EPSO competitions for Irish linguists continue to attract a reasonable level of interest, but achieving success rates in line with projected needs remains a challenge.

Table 1: EPSO competitions, 2016-2018

Year	Competition	Number of applicants	Admitted to translation tests	Invited to assessment centre	EPSO reserve list	Target
2016	Translators	210	43*	10	10	62
	Assistants	118		28	9	13
2017	Lawyer-linguists	26	8	5	3	8
2018	Translators	190	114**	17***	15	72

*admission based on computer-based tests

**admission based only on applications

***computer-based tests integrated into assessment centre

To compensate for low yields from EPSO competitions, the institutions have also invested intensively in **recruiting and training temporary staff** to build up translation capacity. As an alternative measure, they launched 14 selection procedures for temporary staff¹¹ between 2015 and mid-2019. The additional training opportunities created by Ireland and the institutions' training for temporary staff have provided a pragmatic way to address the low success rate in the EPSO competitions. In addition, EPSO launched a selection procedure for contract agent translators in early 2019.

While the derogation does not refer to **interpretation**, it also needs to be factored in, as interpreters tend to form part of the same pool of potential recruits. All the EU institutions

⁹ Four in the EP, two in the Council and two in the Commission.

¹⁰ 2 in the EP, 3 in the Council and 1 in the Commission (Legal Service).

¹¹ EP: 1 for translators in 2016 and 2019 respectively, and 1 for assistants in 2017; 1 for lawyer-linguists in 2017; Council: 1 for translators in 2016, 2017 and 2018 respectively and 1 for assistants in 2017; 1 for lawyer-linguists in 2017; Commission: 1 for translators in 2017; 2018 and 2019 respectively; ECJ: 1 for Irish-language lawyer-linguists in 2017 and 1 for proofreaders in 2018.

have to attain a sufficient number of interpreters to meet demand for Irish after the derogation. They have been able to meet demand, which is limited to interpretation from Irish ('passive Irish'). The Commission's interpreting service, DG SCIC has done so by using three permanent staff interpreters (two with passive and one with active Irish) and a sufficient pool of accredited freelancers who can be called on to serve the Commission, the Council, the EESC and the CoR. Requests for interpretation from Irish in the four institutions served by DG SCIC decreased from 20 in 2011 to 4 in 2018 and to 2 so far in 2019. To date, DG SCIC has not been asked to provide interpretation into Irish ('active Irish'), a fact that has been explicitly recognised in an exchange of letters between DG SCIC and the Irish Government's Department of Culture, Heritage and the *Gaeltacht*. In the EP (as in the Irish Parliament), interpretation is currently provided only out of, but not into, Irish in plenary sessions (including the night session) and for other meetings, given advance notice. The European Court of Justice has no need for Irish-language staff interpreters, since no case has ever been brought to the Court in Irish.

The Publications Office (OP) needs Irish-language capacity at assistant level to carry out **language editing and proofreading**. The OP currently has one Irish-language temporary agent and is seeking to build up Irish-language capacity gradually to bring it into line with that of most other languages. Given the small number of posts and their specificity, it is not cost-effective to organise an EPSO competition for the OP alone.

Ireland has also made considerable efforts to prepare candidates for careers in the institutions and boost recruitment. It has developed a series of university-level Irish courses and courses using Irish since 2007, notably in the framework of the Advanced Irish Language Skills Initiative. In 2015, it set up a Centre of Excellence for Careers with the Irish language in the European Union to facilitate coordination between the tertiary educational institutions taking part in the Initiative. Also in 2015, it set aside a budget of €4.7 million to establish 15 new specialised courses in the participating institutions over a period of 8 years. All courses funded under the Initiative, including law courses, now provide instruction in a third EU language and include modules on psychometric skills to prepare students for the EPSO competitions. The Commission has helped to set up, and continues to support, a master's course in Conference Interpreting at the National University of Ireland, Galway.

Throughout 2016-2018, **careers in the institutions for Irish linguists were promoted** by Ireland and by the institutions themselves, through advertising campaigns, careers fairs, visits to universities and visits by Irish university students to the institutions, dedicated launch events, newspaper articles and radio interviews. The annual conferences in Dublin addressed topics relating to Irish translation and interpretation, and raised awareness of the opportunities and the profiles of the Irish-language staff the institutions need. To extend the outreach to young generations of Irish speakers, the Commission and Ireland launched a special Young Translators competition for Irish-speaking secondary school pupils (senior cycle) in 2017. In 2018, a total of 21 schools participated.

In sum, despite a number of pragmatic, *sui generis* measures taken to boost Irish translation and interpretation capacity, experience to date indicates that considerable efforts are still needed over the next 3 years to meet projected needs.

d. Capacity of external service providers

The institutions **outsource various proportions of their translation work**. The Commission is the biggest user of outsourcing in terms of volume. The institutions expect to make more use of the Irish freelance market to complement their in-house capacity.

The Commission and the EP organised additional **calls for tenders for translation services** in the reporting period to boost capacity and improve take-up and quality. The Commission's new contracts came into force in July 2018. Initial results are encouraging, though the outsourced volume is still a fraction of what is needed to meet demand without a derogation. A call for tenders was launched in November 2018 by the EP with the participation of the Council, the Court of Auditors, the EESC and the CoR. In March 2019, the EP launched another call for tenders to provide freelance translation, including Irish. In May 2019, the Commission also published a new call for tenders to provide freelance translations, including Irish. These procedures are still ongoing. **Awareness-raising events** for external service providers on opportunities for working with the Commission were organised during the reporting period. To achieve maximum reach, they included both webinars and live events. Current and future needs for freelance translation were a focus of the 2018 annual conference in Dublin.

Interpreting services at the Commission (DG SCIC), the EP and ECJ have access to **11 accredited freelance interpreters from Irish**; only 5 of them have active Irish. Accreditation tests did not yield any successful candidates in 2016, 2017 or 2019.

In April 2019, the OP issued a call for tenders for external service providers; since no offers were received, the call for tenders will be re-launched.

e. Irish-language resources

Translation capacity also comprises language resources. The institutions and Ireland continued the GA IATE¹² **terminology** project, which is in its 11th year of operation and for which Ireland has approved funding until the end of 2021. The project has produced 65,592 entries (compared with 56,860 entries in 2015). The institutions have started working with Ireland to build a network of Irish-speaking domain terminology experts in Ireland.

Computer-assisted translation tools and machine translation are crucial to the efficiency of the translation services. They are fed by bi- or multi-lingual corpora, often in the form of translation memories based on previous translations. Euramis, the interinstitutional **translation memory** bank, currently contains around 5.8 million segments from or into Irish (compared with 3.5 million in 2015). This is around a tenth of the 30-50 million segments held for most other language pairs.

¹² The terminology database used by all institutions, also partly available to the public.

Ireland has committed to providing the institutions with translation memories containing alignments of English and Irish texts from national legislation. An agreement was prepared between the institutions and Ireland; this is now awaiting finalisation.

An Irish **machine translation** engine based on neural machine translation technology was built in March 2018 as part of the Commission's eTranslation system¹³ and is available to the institutions as well as to the Irish authorities. However, since machine translation is data driven, and the data comes from Euramis, the comparably small amount of data used to train the Irish engines means the results for Irish machine translation are not as good as the results produced for other languages. The European Language Resource Coordination initiative is seeking to collect more language data to improve the engines.

The OP has worked with the Irish Government and the Irish interinstitutional linguistic group to align the Interinstitutional Style Guide with the new official standard for Irish. The OP also has computer-assisted proofreading tools that are adapted for use with Irish language Official Journal texts. These are being extended to cover case-law in Irish.

*f. Issues relating to the availability of the **acquis***

Irish is the first official and working language into which the body of EU law (the *acquis*) has not been previously translated. The *acquis* currently contains around 160,000 (Official Journal) pages of legal text and represents an important part of the institutions' translation memories and a rich source of terminology. To address the lack of an Irish version, the Commission's Legal Service has drawn up a priority list of around 11,000 pages of basic acts and consolidated versions of acts of which translations into Irish would be of greatest value. The institutions are jointly translating them as far as resources permit; to date, they have translated around 4,697 pages. The translations are, however, not authenticated and only serve to improve the translation memories and to aid operational efficiency. The ECJ is translating case-law and text segments/phrases that recur frequently in its texts.

To contribute to the institutions' efforts, as of September 2018 **Ireland is funding an internship programme** for translating the *acquis*. A budget allocated until 2021 was adopted to fund 12 candidates a year to spend 5 months on placement in the translation services of the main institutions (two each in the EP, the Council and the Commission, twice a year). Only four of the expected six interns started in the first wave (two in the EP, one in the Council and one in the Commission) in September/October 2018, while three came in the second wave in March 2019 (two in the Commission and one in the Council). Ireland has agreed to include the EESC and the CoR in the programme and one intern started at the Joint Committees in March 2019. In April 2019, Ireland increased the grant¹⁴ to cover 10 interns in total to spend 10 months on placement starting in October 2019 (2 interns for the Commission, 3 interns including 1 proofreader for the EP, 2 interns for the Council, 2 interns for the EESC and the CoR and 1 proofreader for the OP).

¹³ eTranslation (previously MT@EC) provides machine translation for Commission DGs, but also for the other institutions and the Member States (public bodies).

¹⁴ From €120,000 to €200,000.

III. Conclusions

The institutions are fully committed to implementing Regulation (EU, Euratom) 2015/2264. Their cooperation with Ireland has facilitated progress in all areas set out in the Regulation. They have successfully implemented the first two incremental increases (covering Directives and Decisions adopted by the EP and the Council) and more than doubled the volume of translation into Irish since 2016.

To build up stable and sufficient in-house capacity, four EPSO competitions were organised over the reporting period, yielding only 10 translators and 9 assistants in 2017, and 15 translators and 3 lawyer-linguists in 2019. Since the end of 2015, the institutions have increased the number of in-house Irish language staff from 58 to 102. Despite this considerable and joined-up effort, progress is slower than expected due to the small pool of linguists with Irish and the low success rate in the EPSO competitions. Some 14 selection procedures for temporary staff were organised to compensate for the shortfall in candidates passing the EPSO competitions, offering temporary positions during which staff receive in-house training.

To complement in-house capacity and extend the pool of external providers from which the institutions can draw, the Commission and the EP organised additional calls for tenders for freelance translation services in Irish, and freelance interpreter accreditation tests.

Progress was made in building up Irish-language technology resources and a new English-Irish neural machine translation engine was built as part of the eTranslation system, though current corpora and memories remain relatively modest. To increase available language data resources, an agreement was prepared between the institutions and Ireland on sharing the bilingual corpora of Irish national law; this is now awaiting finalisation. The institutions and Ireland also continued work on the IATE terminology project.

Forecasts of translation demand indicate that delivering the 2020 and 2021 increments will require substantially more capacity. Overall demand without a derogation from Regulation No 1 covers the translation not only of legislation, but also of political, communication, consultation and reporting material. Interpretation needs also have to be factored in. Major efforts will be required from the institutions, working in synergy with Ireland, to build up sufficient capacity to meet the projected needs. A review of resources has been carried out since the needs were estimated in 2015; adjustments to the resources mix are ongoing and the precise staffing needs are under continuous review. To deliver the increase in translation into Irish, it is essential to continue building up and combining, to different extents in the different institutions, all three main aspects of capacity: in-house staff, freelance translation, and language technology resources.

The Commission will report again to the Council by June 2021 as to whether the institutions have sufficient capacity, relative to the other official languages, to apply Regulation No 1 without a derogation from 1 January 2022.