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Delegations will find attached document COM(2021) 315 final.

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EUROPEAN
COMMISSION

Brussels, 21.6.2021
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REPORT FROM THE COMMISSION TO THE COUNCIL

on whether the Union institutions have sufficient available capacity for the Irish language, relative to the other official EU languages, to apply Regulation No 1 without a derogation as of 1 January 2022

I. Introduction

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

In 2005, Ireland requested that Irish become an official and working language of the institutions of the European Union (EU). The Council granted that status from 1 January 2007 by Regulation (EC) No 920/2005². This included a temporary derogation from Regulation No 1, with the effect that for five years, the obligation to draft and to publish legislative acts in the Irish language applied only to Regulations adopted jointly by the European Parliament and the Council. Following a review in 2010, the derogation was extended for a further five years to 31 December 2016³. In 2015, as part of its policy to encourage the use and knowledge of Irish, the Government of Ireland 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 ('the Regulation') in December 2015. This gave rise to a *sui generis* endeavour in an unprecedented situation for the EU institutions to build up a new language regime with an existing Member State.

The **Annex to the Regulation sets out a timetable for gradually reducing the scope of the derogation** to include translation into Irish of the following categories of acts:

- Directives of the Parliament and Council – no later than 1 January 2017;
- Decisions of the Parliament and Council – no later than 1 January 2018;
- Council Regulations and Directives, and Council Decisions⁵ which do not specify to whom they are addressed – no later than 1 January 2020; and
- Commission Regulations and Directives, and Commission Decisions which do not specify to whom they are addressed – no later than 1 January 2021.

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).

⁵ Council decisions on signature and/or closure of international agreements are translated into Irish. The agreements as such, annexed to such decisions, will be published in Irish only from 1 January 2022.

The Regulation requires the Commission to report twice to the Council on its implementation before the derogation ceases to apply. The Commission adopted the first report⁶ on 4 July 2019. This second one reports on the progress between January 2016 and April 2021 (Section II) and, as stipulated in Article 3 of the Regulation, on whether the EU institutions have sufficient available capacity, relative to the other official languages, to apply Regulation No 1 without a derogation as of 1 January 2022 (Section III). In the absence of a Council Regulation providing otherwise, the derogation will cease to apply as from 1 January 2022 and all legal acts will be published in Irish in the Official Journal simultaneously with all other official languages of the EU institutions.

II. Progress on implementing the gradual reduction of the derogation

a. Cooperation with Ireland

The EU institutions⁷ and Ireland have worked together to implement the Regulation, as achieving this objective is a shared responsibility. Both parties have carried out important work, jointly and separately, by taking unprecedented measures. From the outset, the EU institutions appreciated a number of initiatives adopted by Ireland under their 20-year Strategy for the Irish Language 2010-2030⁸ to increase the use and knowledge of Irish. The EU institutions joined Ireland in this effort and took innovative measures to boost Irish-language capacity and to increase the availability of documents and language resources in Irish, thus enriching the whole ecosystem of the Irish language.

A **monitoring group on the Irish language derogation**⁹, consisting of representatives of the language services of the EU institutions and Ireland, was set up to monitor progress and adopt annual priorities in the following areas:

- recruitment to the EU institutions;
- the capacity of external service providers;
- increased cooperation on language resources; and
- issues relating to the availability of the body of EU law (*acquis*).

The group started working in 2016 and will continue until the Regulation ceases to apply. Cooperation will continue beyond 2021 in a different format, taking into account the particularities of the Irish language situation.

The **state of progress** over the last five years in these four areas is outlined in the next sections.

⁶ Report from the Commission to the Council on the Union institutions' progress towards the implementation of the gradual reduction of the Irish language derogation (COM/2019/318 final, 4.7.2019).

⁷ For the purposes of this report, 'EU institutions' includes also the Committee of the Regions, the European Economic and Social Committee, the European Investment Bank and the Translation Centre for the Bodies of the EU.

⁸ <https://www.gov.ie/en/organisation-information/cb582-20-year-strategy-for-the-irish-language-2010-2030/>

⁹ The structure of the monitoring group is described in the report referred to in footnote 6.

b. Delivery of translation into Irish

The EU institutions' demand for translation is composed of legislation, case law and other types of documents, according to political and other communication requirements. The institutions meet the demand for Irish translation, as for other official languages, by using a mix of resources, combining permanent and temporary in-house staff, outsourcing and language technology resources. Thorough risk assessments are carried out when managing workflow to ensure resources are allocated properly. Priority is given to the translation of legislation to ensure a seamless legislative process, and then to other types of documents.

Having delivered the first three incremental increases and having begun to deliver the fourth increment in 2021, the EU **institutions have been successfully handling the gradual reduction of the derogation**, whilst protecting the seamlessness of the multilingual legislative process. In line with Recital (4) of the Regulation, the EU institutions have also increased the volume of information available in Irish on the EU's activities by translating other types of documents. This amounts to an effective **tripling of the volume of translation** into Irish since 2016.

The most substantial increase is the 2021 increment, which only affects the Commission. It is expected to generate an increase of around 70% in the volume of translation into Irish of legislation in the Commission. By the end of 2021, the institutions **prepare for meeting all demand for translation of legislation into Irish**.

In this context, it should be noted that as of 1 January 2022, international agreements should be published in Irish. Having regard to the considerable length of such documents, this will imply a significant additional workload for the institutions, both in relation to new proposals for international agreements as well as to the agreements for which the Commission has already made or will make during the year 2021 a proposal for a Council decision on the signature and the conclusion.

The EU institutions are also preparing for an increase in demand for translation into Irish of **other types of documents**, notably information on the activities of the EU. This affects the Commission in particular, which estimates that the additional demand to translate other types of documents may lead to a doubling of the overall volume of translation into Irish, and the Parliament, which also anticipates a tangible increase. For these types of documents, the Commission will use a flexible system to prioritise translation needs.

c. Recruitment of Irish-language staff

A key component of capacity to implement the Regulation is a sufficient number of Irish-language staff¹⁰ relative to the other official languages. In 2015, the EU institutions and Ireland identified the main challenge: the small pool of Irish-language experts. An estimate

¹⁰ Translators, assistants, lawyer-linguists, interpreters, proofreaders, managers.

was made of all the EU institutions' recruitment needs on the basis of the 2014 staffing figures¹¹. However, since 2015, cuts have been made to the staffing levels of all language teams necessitating a review of resources and adjustments to the mix of in-house staff, outsourcing and language technology resources. Though in most of the institutions the pace of recruitment slowed in 2020 due to the COVID-19 pandemic, the number of **in-house Irish-language staff has risen from 58 in 2016 to 138 in April 2021** (see Table 1).

Overview of progress in recruiting Irish translation staff

To build up a stable in-house translation capacity in Irish, the EU institutions organised a series of **EPSO¹² competitions in 2016, 2017, 2018 and 2021 for permanent positions** for translators, lawyer-linguists and assistants. The competitions attracted a relatively high number of applicants but they yielded only 10 successful translators and 9 assistants in 2017, and 15 translators and 3 lawyer-linguists in 2019. EPSO competitions for lawyer-linguists for the Commission, the Council and Parliament and another for proofreaders/language editors for the Parliament and the Court of Justice are ongoing.

In parallel, the EU institutions took special measures and invested intensively in **recruiting and training temporary staff** to build up capacity. Since 2016, they launched 42 selection procedures for temporary staff. To respond to the interest of the local pool of linguists, the EPSO selection procedure for temporary agent translators organised by the Commission in February 2020 includes the option to be recruited in Ireland (Grange, County Meath). It yielded 50 translators, with around 20 due to be recruited to the Commission in the second half of 2021. The other EU institutions envisage recruiting another 40 staff through ongoing EPSO competitions and further temporary selection procedures. Altogether, the institutions intend to recruit some **60 additional staff by the end of 2021**, making the staffing level in the Irish language teams comparable to that of most other official languages.

These measures have increased the in-house capacity of the EU institutions to provide services in Irish. However, there is a high share of temporary to permanent staff: 56% across the EU institutions (e.g. 60% temporary staff in the Commission's translation service and 100% in the Court of Justice). The EU institutions are taking measures to increase the share of permanent translators and lawyer-linguists. Parliament finalised an internal competition for permanent staff in 2021; the Court of Justice launched one in 2020 and the Council will run another in 2021.

Interpretation and proofreading

Although the derogation does not refer to **interpretation**, the needs of this language service also need to be factored in, as interpreters tend to form part of the same pool of potential recruits for translation for several EU institutions. The EU institutions have so far been able to meet demand for interpretation into Irish. DG Interpretation of the European Commission

¹¹ Financial statement prepared by the Commission for the adoption of Regulation (EU, Euratom) 2015/2264.

¹² European Personnel Selection Office.

serving four EU institutions¹³, has two permanent staff interpreters and four temporary staff and will request an internal competition for Irish-language interpreters. Requests for interpretation *from* Irish ('passive Irish') from DG Interpretation increased from one in 2016 to eight in 2020. Since 2016, DG Interpretation was asked once in 2019 to provide interpretation *into* Irish ('active Irish'). The Commission has helped set up and continues to support a master's course in conference interpreting at the National University of Ireland, Galway. In the European Parliament (just as in the Irish Parliament), interpretation is provided only out of, but not into, Irish in plenary sessions (including the night session) and for other meetings, subject to advance notice.

The Publications Office of the EU needs Irish-language assistants to carry out **language editing and proofreading**. It currently has two Irish-language temporary agents and is seeking to build up Irish-language capacity gradually to bring it into line with the staffing levels of most other official language teams.

Table 1: Irish-language staffing levels in the EU institutions 2016 – 2021

	2016	2017	2018	2019	2020	2021 April	Forecast by the end of 2021
Staff	58	80	101	123	138	138	+/- 200
Share of temporary staff	57%	45%	56%	53%	60%	56%	[N/A]

Awareness raising

Since 2016, the EU institutions and Ireland have promoted **careers in the EU institutions for Irish linguists**, including through five annual conferences on Irish translation and interpretation and conferences promoting careers for lawyer-linguists. To extend the outreach to younger Irish speakers, the Commission and Ireland have organised an annual Young Translators competition for Irish-speaking secondary school pupils since 2017, with Ireland sponsoring the prizes. Participation in this competition has increased from 26 schools in 2017 to 34 schools in 2020. Since 2017, Ireland has funded a roadshow to highlight job opportunities in Irish, especially EU careers. A new EU Jobs Strategy for Ireland is also being developed to promote careers in the EU and to increase the number of Irish-language staff working in the EU institutions. Due to the COVID-19 pandemic, many of the events planned for 2020, such as the annual conference co-organised by Ireland and the Commission, were run online. Ireland has also made considerable efforts to prepare candidates for careers in the EU institutions and boost recruitment. Since 2007, it has

¹³ It serves the European Commission, the Council, the Committee of the Regions and the European Economic and the Social Committee.

developed a series of university-level courses delivered either entirely through Irish or comprising elements in Irish, notably under the Advanced Irish Language Skills Initiative¹⁴.

In summary, although the pace of recruitment in most institutions slowed in 2020 due to the pandemic, Irish-language teams in the institutions have been set up with the same structure as for other official language teams. Recruitment continues in 2021, making the staffing level for Irish-language teams comparable to most other official language teams. To address the high ratio of temporary to permanent staff, it is a priority for the EU institutions to organise further EPSO competitions and/or internal competitions to recruit permanent staff in order to ensure business continuity and a sustainable service.

d. Capacity of external service providers

Translation

The EU institutions **outsource various proportions of their translation work into Irish**, as they do for other languages. The Commission outsources the highest volume, followed by the Translation Centre and Parliament. The European Court of Auditors, the European Central Bank and the European Investment Bank rely entirely on outsourcing, although for significantly lower volumes. Since 2016, the volume outsourced has quadrupled.

The Commission and Parliament organised new **calls for tenders for translation** over the reporting period to boost capacity and improve take-up and quality. The Commission's latest outsourcing system with one main contractor came into force in July 2020. Initial results are encouraging and the Commission has since increased the volume of outsourced work. The Parliament launched a joint call for tenders in November 2018 with the Council, the Court of Auditors, the European Economic and Social Committee and the Committee of the Regions. In early 2020, the Parliament began working with new contracts for outsourced translation, including into Irish. The Council began outsourcing Irish for the first time in 2020. The Committees have not outsourced any translation work so far. **Overall, the quality of outsourced translations into Irish is good.** More capacity in the outsourcing sector may be needed since the EU institutions expect an increase in demand.

In Ireland, the most recent examination for **accrediting translators and editors** took place in December 2020. This yielded 10 successful candidates, bringing the total number of accredited translators to 211 and the total number of accredited editors to 8.

Interpretation and proofreading

The three EU interpretation services, DG Interpretation of the Commission, DG LINC¹⁵ of the Parliament and the Directorate for Interpretation of the Court of Justice, have **14 accredited freelance interpreters on their joint list who work from Irish**, of these only 6

¹⁴ For further details on the Advanced Irish Language Skills Initiative, see the report referred to in footnote 6.

¹⁵ Directorate-General for Logistics and Interpretation for Conferences.

are accredited to interpret into Irish. Accreditation tests did not yield any successful candidates in 2016, 2017, 2019 or 2020.

The **Publications Office** concluded a tender for proofreading general publications in March 2020 for four years. The new contract for case law includes proofreading Irish jurisprudence, which could be fully outsourced from 2023. Proofreading of the Official Journal C series has been partially outsourced since October 2020 with a contract for legal publications. Official Journal L series is proofread in-house.

Awareness raising

A series of awareness-raising events for external service providers on opportunities to work with the institutions were organised over the reporting period. To achieve maximum reach, they included both online and face-to-face events. Current and future outsourcing needs were a focus of the 2018 conference co-organised by the Commission and Ireland in Dublin.

e. Irish-language resources

Translation capacity also comprises language resources, such as terminology databases and computer-assisted translation tools. The EU institutions and Ireland continued the Irish IATE¹⁶ **terminology** project, which is in its 14th year of operation and funded by Ireland until the end of 2021. The project has produced 70 266 entries so far (up from 56 860 entries in 2015). In 2016, the EU institutions started working with Ireland to build a network of Irish-speaking domain terminology experts in Ireland. The project is to be funded by Ireland for another year and Ireland has committed to bring in more experts with Irish-language skills. The Concise English-Irish Dictionary, a print version of the online New English-Irish Dictionary¹⁷ was published in December 2020, the first major English-Irish dictionary since 1959.

Computer-assisted translation tools and **machine translation** are crucial to efficiency. They are fed by bi- or multilingual corpora, often in the form of translation memories based on previous translations. Euramis, the interinstitutional **translation memory** bank, currently contains some 9 million segments from or into Irish (from 3.5 million in 2015).

As part of the work to build up language resources for Irish, the Commission and Ireland reached an agreement at the end of 2019 on the **transfer of translation memories containing alignments** of English and Irish texts from national legislation. The Commission has so far received alignments of 580 legal texts from the Translation Service of the Irish Parliament to this end.

An **Irish machine translation** engine based on neural technology was built in March 2018 as part of the Commission's eTranslation system and is made available to the EU institutions, to the Irish authorities and to SMEs. Due to the increasing demand in the EU institutions and to

¹⁶ The terminology database used by all EU institutions, also partly available to the public.

¹⁷ <https://www.focloir.ie/ga/>

the improving quality of the output, the use and quality of eTranslation in the EU institutions has increased and is expected to continue increasing as the linguistic corpora grows. This is important as high-quality output is needed to handle the increased workload when the derogation ends. The European Language Resource Coordination initiative is seeking to collect more language data to improve the engines.

In terms of Irish-language resources for **interpretation**, the **Knowledge Centre on Interpretation** developed by DG Interpretation, a single go-to space to manage and exchange knowledge, create synergies and share best practice on all types of interpretation, is fully available in Irish. Irish is one of the 33 languages available in **the speech repository** for professional interpreters and potential future interpreters to practise their skills.

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

Irish is the first official language into which the body of EU law (the *acquis*) has not been translated. To address the lack of an Irish version of EU law, the EU institutions have translated priority pieces of law whenever resources permit, so far **15 109 pages**. These translations are not authenticated but underpin the translation of related legislation, improve translation memories and aid operational efficiency. For similar reasons, the Court of Justice is translating historical case law and text segments/phrases that recur frequently in its texts.

Since September 2018, **Ireland has funded an internship programme** to contribute to this work to translate the *acquis*. The budget allocated until 2021 funds 10 interns per year to spend 10 months on placement in the EU institutions. The COVID-19 pandemic had an impact on this scheme, with only 7 trainees taking up the 10 places available in 2021.

III. Conclusions

Building up a new language regime with an existing Member State has been a unique endeavour. The EU institutions and Ireland have worked closely together to implement the Regulation. Both parties have carried out important work, investing significant resources, jointly and separately, and taking innovative and *sui generis* measures to increase the availability of documents and language resources in Irish. They met regularly to monitor progress on the strands of work set out in the Regulation necessary for its implementation.

As a result, the volume of translation into Irish tripled between 2016 and 2021. The EU institutions have successfully been handling the gradual reduction of the derogation, whilst protecting the seamlessness of the EU's multilingual legislative process.

In terms of progress in recruiting in-house staff, the EU institutions increased the number of in-house Irish-language staff from 58 in 2016 to 138 by April 2021. In 2020, the pace of selection process slowed due to the COVID-19 pandemic, but recruitment will continue in 2021 to make the staffing level comparable to that of most other official languages.

To complement their in-house capacity, the EU institutions are increasing the use of outsourced translation and interpretation services. The quality of outsourced translations is good and the EU institutions expect to work with contractors increasingly for translation into Irish. Continued awareness-raising efforts are needed to further increase the pool of potential candidates for both in-house and outsourced translation and interpretation.

All parties made progress in building up Irish-language resources. Cooperation on the IATE terminology project continued with support from the Government of Ireland. The regular transfer of translation memories of bilingual corpora of Irish national law started in 2020. A new English-Irish neural machine translation engine was built in 2018 as part of the eTranslation system and its use in the EU's language services has increased over the years.

The close cooperation forged between all parties will need to continue to consolidate capacity beyond 2022. The Commission needs to complete the ongoing recruitment of additional 20 staff in the second half of 2021, and as of January 2022 will make full use of all resources and bring in a flexible prioritisation system to manage demand. The other EU institutions envisage recruiting another 40 staff to bring the total number of Irish-language staff to +/- 200 by the end of 2021. The EU institutions need to remedy the high share of temporary to permanent staff by organising further EPSO and internal competitions to ensure a sustainable service.

On the basis of the elements in this Report and the continued implementation of ongoing measures between now and the end of 2021, the Commission concludes that the EU institutions will have sufficient available capacity, relative to the other official languages to apply Regulation No 1 without a derogation as of 1 January 2022.