



Roinn Cultúir, Ealaín agus Fóillíochta
Department of Culture, Arts and Leisure

Tograí faoi choinne Bhille na Gaeilge

Proposals for an Irish Language Bill

Aibreán 2015

April 2015

Clár

Cúlra Conradh na Gaeilge

Intreoir

Comhaontú Aoine an Chéasta 1998

Cairt Eorpach do Theangacha Mionlaigh agus Réigiúnacha

Comhaontú Chill Rìmhinn 2006

An Forógra Náisiún Aontaithe ar Chearta Daoine atá ina mball de Mhionlach Eiteach, Reiligiúin nó Teanga 1992

Comhdháil na Náisiún Aontaithe ar Chearta Sóisialta, Eacnamaíochta agus Cultúrtha 2009

Straitéis le Forbairt na Gaeilge a Fheabhsú agus a Chosaint

Tuairimí agus Moltaí ar Tograí an Chomhairliúcháin

1. Stádas Oifigiúil
2. Gaeilge sna Cúirteanna
3. An Tionól
4. Coimisinéir Teanga
5. Comhlachtaí Poiblí
6. Scéimeanna Teanga
7. Limistéir Ghaeltachta
8. Logainmneacha
9. Oideachas
10. Measúnú Thionchar Comhionannais

Moltaí Eile:

Craoltóireacht Gaeilge

Infheistíocht i nDaoine Óga

Conclúid

Contents

Background Conradh na Gaeilge

Introduction

The Good Friday Agreement 1998

The European Charter for Regional and Minority Languages

The St. Andrew's Agreement 2006

The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities 1992

The United Nations Convention on Social, Economic and Cultural Rights 2009

Strategy to Enhance and Protect the Development of the Irish Language

Comments and Recommendations on Consultation Proposals:

1. Official Status
2. Irish in the Courts
3. The Assembly
4. Irish Language Commissioner
5. Public Bodies
6. Language Schemes
7. Gaeltacht Areas
8. Place Names
9. Education
10. Equality Impact Assessment

Other Recommendations

Broadcasting in Irish

Investment in Young People

Conclusion

Cúlra | Background:

Is fóram daonlathach é Conradh na Gaeilge do phobal na Gaeilge. Oibríonn an eagraíocht ar son na Gaeilge agus ar son na ndaoine a bhaineann úsáid as an teanga timpeall oileán na hÉireann agus fud fad an domhain.

Is é príomh-aidhm na heagraíochta ná an Ghaeilge a fheiceáil mar ghnáth-theanga labhartha na hÉireann. Ó bunaíodh an eagraíocht ar 31 Iúil 1893, tá baill Chonradh na Gaeilge gníomhach leis an Ghaeilge a chur chun cinn i ngach gné de shaol na tíre seo, ó chúrsaí dlí, chúrsaí oideachais, go forbairtí sna meán agus seirbhísí trí Ghaeilge.

Tá 180 Craobh agus neart ball aonar de Chonradh na Gaeilge, agus oibríonn baill de Chonradh na Gaeilge go léir go dian le húsáid na Gaeilge ina gceantrair féin a fhorbairt.

Tá níos mó eolais faoi obair Chonradh na Gaeilge ar fail ag www.cnag.ie.

Conradh na Gaeilge is a democratic forum for the Irish language community. The organisation works on behalf of the Irish language and the people who use it throughout the island of Ireland and around the world.

The main aim of the organisation is to see Irish used as the ordinary language in Ireland. From its establishment on the 31st July 1893, members of Conradh na Gaeilge have been active in promoting the Irish language in every aspect of this country's life, from legal matters, to education, to developments in the media and Irish language services.

There are 180 branches and many individual members of Conradh na Gaeilge. All members of Conradh na Gaeilge work hard to develop the use of Irish in their own areas.

More information about the work of Conradh na Gaeilge is available at www.cnag.ie.

Intreoir | Introduction:

Cuireann Conradh na Gaeilge fáilte roimh fhoilseachán na dtograí seo do Bhille na Gaeilge. Is céim an-tábhachtach iad na tograí seo agus an próiseas chomhairliúcháin seo le hAcht Gaeilge a chur i bhfeidhm, atá ag teacht le fada an lá anois. I ndiaidh Chomhaontú Aoine an Chéasta 1998 agus Comhaontú Chill Rìmhinn 2006, tá an cás do reachtaíocht cosanta don teanga pléite go soiléir. Ar a bharr seo, tá reachtaíocht teanga de dhíth de réir na Cairte Eorpaí do Theangacha Mionlaigh agus Réigiúnacha, daingnithe i 2001, agus le bheith leanúnach leis an Fhorógra ar Chearta Daoine mar bhaill de Mhionlach Eitneach, Reiligiúnach nó Teanga 1992.

Tá na tograí sa cháipéis chomhairliúcháin seo ina mbunús láidre do dhréachtú reachtaíochta a bheas ábalta cearta Gaeilgeoirí a chosaint, ar bhealach atá ag cloí leis na comhaontuithe agus leis na conarthaí éagsúla atá luaite thuas. I dtéarmaí ginearálta, tá cur chuige praiticiúil leagtha síos sna tograí seo, a léiríonn tuiscint ar thábhacht na Gaeilge agus a thugann an t-aitheantas agus an meas atá tuillte aici di. Sa cháipéis seo, tá roinnt moltaí déanta atá ag tacú leis na tograí seo. Is é an sprioc atá taobh thiar de na moltaí seo ná na sonraí agus an treoir phraiticiúil a chur ar fáil atá de dhíth leis na tograí seo a chur i bhfeidhm sa bhealach is éifeachtaí agus is féidir ar son phobal na Gaeilge, agus mar gheall air seo, chun cosaint a chur ar fáil don phobal seo maidir le fás agus forbairt.

Conradh na Gaeilge welcomes the publication of the proposals for an Irish Language Act. These proposals and this consultation process are an important step in the long awaited introduction of an Irish Language Act. Following, amongst other things, the Good Friday Agreement 1998 and the St. Andrew's Agreement in 2006, legislative protection for the Irish language in the North of Ireland is long overdue. In addition, domestic legislation is needed in order to meet our obligations under the European Charter for Regional and Minority languages, ratified in 2001, and to be consistent with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities 1992.

The proposals in this consultation document provide a solid basis on which to draft legislation which can protect the rights of Irish language speakers, in keeping with the various relevant agreements and treaties as outlined above. The proposals, generally speaking, suggest a practical approach, which recognises the importance of the Irish language and offers it the recognition and respect that it deserves. In this document, there are a number of recommendations which will support and enhance these proposals. The intention of these is to provide the detail and practical guidance necessary to ensure that the implementation of an act based on these proposals will benefit the Irish language community in the most practical and useful way possible.

Léirigh dhá chomhairliúchán eile, i 2006 agus i 2007, go bhfuil an pobal ar son Acht Gaeilge. Ó shin, tá tuilleadh fáis agus forbartha déanta ag pobal na Gaeilge i ngach gné den saol. De réir suirbhé a rinne Millward Brown agus Conradh na Gaeilge ag tús 2015, tá 54% den daonra den bharúil gur chóir seirbhísí Gaeilge a chur ar fáil do dhaoine ar mhaith leo iad a úsáid. Faoi láthair, mothaíonn scoileanna, clubanna óige, gnóthaí áitiúla agus grúpaí pobail na buntáistí a bhaineann le bheith páirteach i bpobal na Gaeilge. Tá níos mó ná 5,000 páiste sa chóras Gaeloideachais faoi láthair agus tá níos mó daoine i dteagmháil leis an teanga anois ná mar a bhí riamh mar gheall air thionscadail cosúil le Líofa, eagraithe ag RCEF. Áfach, tá níos mó de dhíth le cinntiú go bhfuil Gaeilgeoirí, idir chainteoirí líofa agus fhoghlaimeoirí, ábalta a gcuid cearta teanga a úsáid sa saol poiblí. Is iomaí sampla atá le feiceáil fud fad na cruinne de thíortha atá ag baint úsáide as reachtaíocht le cearta cainteoirí teanga mionlaigh a chosaint, agus tá sé seo aitheanta go forleathan mar an bealach is éifeachtaí leis seo a dhéanamh.

Two previous consultations, in 2006 and 2007, have found that the public are very much in favour of the introduction of an Irish Language Act. Since that time, the Irish language community has continued to grow and develop in every aspect of life. Now, schools, youth clubs, local businesses and community groups have all felt the benefit of the growing strength of the Irish language community. Over 5,000 children are currently receiving Irish-medium education and projects such as Líofa, run by DCAL, have seen greater numbers of people engaging with the language than ever before. However, much more needs to be done in order to ensure that Irish speakers and those who wish to learn the language are in a position to exercise their linguistic rights in public life. There are many examples right across the world of countries using legislation in order to safeguard the rights of minority language speakers, and this is widely recognised as the most effective way of doing this, thus providing that community with the space and protection to grow and flourish.

Comhaontú Aoine an Chéasta | The Good Friday Agreement 1998:

Chuir Comhaontú Aoine an Chéasta 1998 dualgas ar na sínitheoirí ‘to take resolute action to promote the language’ agus bhí sraith céimeanna luaite a bhí de dhíth le cinntiú go bhfaigheadh an Ghaeilge aitheantas cuí.¹ Bhí na céimeanna aontaithe seo bunaithe ar thábhacht an aitheantais don teanga agus ar mheas agus chaoifhulaingt a chinntiú don teanga.

Cé gur pléadh le cuid de na cúrsaí a bhí luaite sa Chomhaontú bealach amháin nó bealach eile, tá cuid mhór fós le déanamh sula gcomhlíontar deis iomlán an Chomhaontaithe maidir le meas agus aitheantas a chinntiú don teanga. Ciallaíonn sé seo go gcaithfear plé leis an teanga agus pobal na Gaeilge i gcoitinne ar bhonn comhionannais, agus go gcaithfear céimeanna a ghlacadh leis na forálacha eile sa Chomhaontú a chomhlíonadh.

The Good Friday Agreement 1998 committed the signatories to ‘take resolute action to promote the language’ and contained a range of measures which would be needed in order to ensure that the Irish language received due recognition.² The agreed measures were based in recognising the importance of the language and ensuring that it was treated in such a way that would ensure tolerance and respect for the language.

Although some issues which were mentioned in the Agreement have been addressed to one extent or another, this is a far cry from fully realising the potential of the Agreement to ensure respect and recognition for the language. This means that the language, and the Irish language community in general, need to be treated with equality and that steps need to be taken to fulfil the remaining provisions of the Agreement.

¹ The Good Friday Agreement 1998, Rights, Safeguards and Equality of Opportunity: Economic, Social and Cultural Issues, para 3 and 4

² The Good Friday Agreement 1998, Rights, Safeguards and Equality of Opportunity: Economic, Social and Cultural Issues, para 3 and 4

Cairt Eorpach um Theangacha Mionlaigh agus Réigiúnacha (CETMR) | European Charter on Regional and Minority Languages (ECRML):

Is coinbhinsiún idirnáisiúnta é an CETMR atá dearbhairthe le teangacha mionlaigh agus réigiúnacha a chosaint mar ghnéithe de chultúr na hEorpa atá faoi bhagairt. Mar gheall air seo, ní amháin go bpléann sé le forálacha atá in éadan idirdhealuithe i dtaobh úsáid na dteangacha de, ach tá forálacha praiticiúla ann le tacaíocht a thabhairt dóibh fosta. Cuireann an Chairt, daingnithe i 2001, cur chuige ilchultúrtha chun cinn ar son na dteangacha a ndéanann sí cosaint orthu. An aidhm atá ag an Chairt ná timpeallacht a chruthú inar féidir le teangacha mionlaigh agus réigiúnacha forbairt taobh le mór-theangacha an Stáit. Is céim shuntasach riachtanach í reachtaíocht a chuirfidh go mór le stádas na Gaeilge.

I ndiaidh Tuairisc Choiste na Saineolaithe don Chairt don 4ú Babhta Monatóireachta, molann Coiste na hAirí (COMEX) Chomhairle na hEorpa gur chóir do na húdaráis, mar thosaíocht “adopt and implement a comprehensive Irish language policy, preferably through the adoption of legislation providing statutory rights for the Irish speakers.”³ Bhí an moladh seo mar chuid de shraith céimeanna praiticiúla eile gur chóir a ghlacadh chun cur i bhfeidhm iomlán na Cairte a chinntiú.

The European Charter for Regional or Minority Languages (ECRML) is an international convention designed to protect and promote regional and minority languages as a threatened aspect of Europe’s cultural heritage. For this reason, as well as containing a non-discrimination clause that concerns the use of these languages, it also provides for practical measures that offer active support for them. The Charter, ratified in 2001, promotes a multi-cultural approach to the languages it protects. Its aim is to create an environment where regional and minority languages can flourish and along with the majority language of the state. Legislation is a significant and necessary measure that will support, enhance and protect the status of the Irish language.

Following the Report of the Committee of Experts on the Charter for the 4th Monitoring Cycle, the Council of Europe’s Committee of Ministers (COMEX) recommended that, as a matter of priority, the authorities should, “adopt and implement a comprehensive Irish language policy, preferably through the adoption of legislation providing statutory rights for the Irish speakers.”⁴ This was in addition to a range of other practical steps which should be taken in order to ensure full implementation of the Charter.

³ COMEX Report, 4th Monitoring Cycle, 2014 pg 45

⁴ COMEX Report, 4th Monitoring Cycle, 2014 pg 45

Comhaontú Chill Rímhinn 2006 | The St. Andrew's Agreement 2006:

Chuir Comhaontú Chill Rímhinn 2006 leis na dualgais a bhí ann i gComhaontú Aoine an Chéasta, ag rá

“The Government will introduce an Irish Language Act reflecting on the experience of Wales and Ireland and work with the incoming Executive to enhance and protect the development of the Irish language.”⁵

Nuair a athbunaíodh na hinstiúidí dí-lárnaithe i 2007, ghlac RCEF leis na cúramaí a bhaineann leis an Ghaeilge. Mar sin, luigh an fhreagracht leis an Aire Cultúir, Ealaíne agus Fóillíochta reachtaíocht den saghas seo a thabhairt isteach chuig an Tionól. Áfach, in ainneoin dhá chomhairliúchán poiblí a léirigh tacaíocht d’Acht, níor tháinig aon reachtaíocht mar seo chun tosaigh. Mar gheall go luíonn an dualgas don Ghaeilge leis na hinstiúidí dí-lárnaithe, is fear go mbeadh reachtaíocht ag cosaint an teanga ag teacht ón Tionól. Áfach, más rud nach féidir aon reachtaíocht láidir éifeachtach a thabhairt fríd an chóras ar Chnoc an Anfa, beidh ar rialtas an RA a ndualgais faoi Chomhaontú Chill Rímhinn a chomhlíonadh agus reachtaíocht a chur i bhfeidhm, mar atá molta ag COMEX. Tabharfaidh sé seo feidhm phraiticiúil le forálacha na Cairte Eorpaí. Ag deireadh an lae, luíonn freagracht faoin Chairt Eorpach leis an sínitheoir, rialtas an RA, agus ní leis an Fheidhmeannas.

The St Andrews Agreement of 2006 built on the commitments in the Good Friday Agreement, stating that

“The Government will introduce an Irish Language Act reflecting on the experience of Wales and Ireland and work with the incoming Executive to enhance and protect the development of the Irish language.”⁶

Following the re-introduction of devolution in 2007, DCAL took responsibility for issues relating to the Irish language. Therefore, responsibility lay with the Minister for Culture, Arts and Leisure to bring forward such legislation. However, despite a second consultation period after devolution, which again demonstrated the broad support for a language Act, no legislation was brought forward. Considering that responsibility for the Irish languages lies with the devolved institutions, it would be preferable that legislation protecting the Irish language would be passed by the Assembly. However, should it appear that following this third public consultation that effective and robust legislation cannot be passed through Stormont, the UK government must then fulfil its obligations under the St. Andrew's Agreement and implement legislation, as recommended by COMEX. This will give practical effect to the provisions of the Charter. Ultimately, the responsibility under the European Charter for Regional and Minority Languages lies with the signatory, the UK government, and not the Executive.

⁵ St. Andrew's Agreement, *Human Rights, Equality, Victims and Other Issues*, 2006

⁶ St. Andrew's Agreement, *Human Rights, Equality, Victims and Other Issues*, 2006

An Forógra Náisiúin Aontaithe ar Chearta Daoine atá ina mball de Mhionlach Eiteach, Réiligiúin nó Teanga 1992 | The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities 1992:

Bheadh reachtaíocht ar chosaint na Gaeilge ag cloí leis an Fhorógra seo, tógtha ag na Náisiúin Aontaithe ar 18 Nollaig 1992 a chlúdaíonn an gá le cearta a chur chun cinn agus a chosaint do dhaoine atá ina mball de mhionlach reiligiúin nó teanga. Déanann na hairteagail san fhorógra seo cur síos ar an cheart atá ag daoine “sult a bhaint as a gcultúr féin” agus “úsáid a bhaint as a dteanga féin... gan aon saghas baic nó idirdhealuithe.”

The introduction of Irish Language legislation would be consistent with this Declaration adopted by the United Nations General Assembly on 18 December 1992 which includes the need to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities. The articles of the declaration outline the rights of people belonging to these minorities to “enjoy their own culture” and “use their own language...without interference or any form of discrimination.”

Comhdháil na Náisiúin Aontaithe ar Chearta Sóisialta, Eacnamaíochta agus Cultúrtha 2009 | The United Nations Convention on Social, Economic and Cultural Rights 2009:

Tá sé ráite ag an Choiste Náisiúin Aontaithe ar Chearta Eacnamaíochta, Sóisialta agus Cultúrtha go bhfuil imní orthu nach bhfuil aon chosaint ann i léith na Gaeilge I dTuaisceart Éireann, ach go bhfuil cosaint ann don Bhreatnais sa Bhreatain Beag agus don Ghàidhlig in Albain.

Molann an Coiste go dtugann “the State party, or the devolved administration in Northern Ireland, adopt an Irish Language Act, with a view to preserving and promoting minority languages and cultural heritage.”

The United Nations Committee on Economic, Social and Cultural Rights has expressed concern that “there is still no protection in respect of the Irish language in Northern Ireland, whereas the Welsh and the Gaelic languages are protected.⁷

The Committee recommends that “the State party, or the devolved administration in Northern Ireland, adopt an Irish Language Act, with a view to preserving and promoting minority languages and cultural heritage.”

⁷ Welsh Language Act 1993 / Gaelic Language (Scotland) Act 2005

Straitéis le Forbairt na Gaeilge a Fheabhsú agus a Chosaint |

Strategy to Enhance and Protect the Development of the Irish Language:

Tá sé le moladh go bhfuil cur i bhfeidhm Acht Gaeilge mar chuid de Straitéis le Forbairt na Gaeilge a Fheabhsú agus a Chosaint 2015-2035, atá ina chroílár de Chlár an Rialtais 2011-2015. Ní amháin go bhfuil an t-Acht lárnach sa straitéis seo, ach tá sé riachtanach do chur i bhfeidhm na spriocanna eile atá leagtha síos sa straitéis. Cé gur féidir dul chun cinn a dhéanamh i réimsí eile sa straitéis, is é an bealach is fearr le cinntiú go mbeidh na spriocanna fad-téarmacha bainte amach ná le cinntiú go bhfuil reachtaíocht láidir taobh thiar di.

It is very welcome that the implementation of an Irish Language Act forms part of the Strategy to Enhance and Protect the Development of the Irish Language 2015-2035, which forms a key part of the Programme for Government, 2011-15. Not only is an Act a central part of this strategy, but it is also key to the effective implementation of other targets set out in the strategy. Although progress can be made in all the other areas which are mentioned within the strategy, the best way to ensure that the long term goals are met is to carry these out with the support of robust legislative backing.

Pobal na Gaeilge | The Irish Language Community:

Tá éileamh ann d’Acht na Gaeilge le fada an lá anois ó ghrúpaí atá fréamhaithe sa phobal. I mí Aibreáin 2014, tháinig thart ar 5,000 duine amach ar shráideanna Bhéal Feirste leis na cearta s’acu a éileamh. Léirigh an Lá Dearg nach bhfuil Gaeilgeoirí sásta an comhrá faoina gcearta a sheachaint a thuilleadh. Ní minic a bhíonn pobail chomh glórach leis seo agus iad ag caint ar chúrsaí reachtaíochta. Is é an fáth atá taobh thiar de seo ná nach mbaineann feachtas ar son an Achta seo le cúrsaí riaracháin sa stát-seirbhís amháin, baineann sé le pobail áitiúla atá ag iarraidh cur lena gcumas féin le seirbhísí a chur ar fáil dá bpobal; baineann sé le tuismitheoirí atá ag iarraidh todhchaí níos fearr a chinntiú dá bpáistí. Baineann an t-Acht seo le féiniúlacht, le haitheantas, agus le meas.

There has been demand for an Irish Language Act for many years from groups who are rooted in communities. In April 2014, around 5,000 people came out on to the streets of Belfast to demand their rights. This ‘Lá Dearg’ showed that Irish speakers are no longer content for the conversation about their rights to be avoided any longer. It isn’t often that communities, and particularly young people, are so motivated to speak about legislation. The reason for this is that the campaign for this Act doesn’t simply relate to administrative matters within the civil service, it relates to local communities who are trying to add to their ability to provide services to their community, it relates to parents who are trying to ensure a better future for their children. This Act relates to identity, to recognition, to respect.

Na Tograí | The Proposals:

I bhfoilseachán POBAL 2006 ‘Acht Gaeilge: 2ú Éisiúint’ tá moltaí cuimsitheacha déanta faoi dóigh ar féidir Acht Gaeilge a chur i bhfeidhm anseo. Tacaíonn Conradh na Gaeilge leis na moltaí seo agus molaimid go gcuirtear na forálacha sa cháipéis sin i bhfeidhm anseo.

Tá na moltaí a dhéanann POBAL sa cháipéis seo bunaithe ar shaineolas teanga idirnáisiúnta, agus scríobhadh an cháipéis seo trí chomhairliúchán a dhéanamh le pobal na Gaeilge

Stádas Oifigiúil | Official Status:

Moladh 1: Torthaí Praiticiúla

Aontaímid gur choir stádas oifigiúil a bheith ag an teanga. Tá sé seo riachtanach le haitheantas ceart a thabhairt don ról a imríonn an Ghaeilge i saol chuid mhór daoine anseo. Ní ionann stádas oifigiúil agus feidhm dhleathach nó phraiticiúil. Cé go bhfuil an t-aitheantas seo an-tábhachtach, ní leor focail gan gníomh – caithfear torthaí soiléire a bheith ann mar gheall air. I ndiaidh an dualgais a cuireadh ar an Roinn Oideachas le Gaeloideachas ‘a spreagadh agus a éascú’⁸ d’aimsigh an Breitheamh Treacy sa chás Ard Chúirte Coláiste Feirste v Roinn Oideachas (2011)⁹ go raibh sé ar intinn I gcónaí go mbeadh ‘practical consequence and legislative significance’ bainte leis an dualgas seo.

⁸ Article 89 Education (Northern Ireland) Order 1998

⁹ (2011) NIQB 98

¹⁰ Article 89 Education (NI) Order 1998

The publication by POBAL (2006) ‘An Irish Language Act: 2nd Edition’ contains comprehensive recommendations on how an Irish Language Act should be implemented here. Conradh na Gaeilge endorses these recommendations and supports the full implementation of the provisions contained in that document.

The recommendations that POBAL makes in this document are based on international language expertise, and this document was written through consultation with the Irish language community.

Recommendation 1: Practical Implications

We agree that the Irish language should have official status. This is essential in order to properly recognise the role that the Irish language plays in the daily lives of many people here. It must be ensured that this status has practical implications. Official Status doesn’t equate to legal or practical use. Even though this recognition is very important, it isn’t enough in words alone – there must be clear implications because of it. Following the duty which was placed in the Department of Education in 2000 to ‘encourage and facilitate’ Irish-medium education¹⁰ Justice Treacy found in the High Court case Coláiste Feirste v Department of Education¹¹ that this duty was always intended to have ‘practical consequences and legislative significance.’¹²

¹¹ (2011) NIQB

¹² Coláiste Feirste v Department of Education (2011) NIQB 98 para 44

Moladh 2: Aitheantas agus meas

Beidh sé soiléir i ndiaidh bhronnadh an stádas seo gur choir go léireofaí meas don teanga i gcónaí, agus go gcaithfí le Gaeilgeoirí ar bhonn comhionannais i ngach gné den saol poiblí. Roimhe seo, rinneadh neamhaird ar riachtanais agus ar mhianta na nGael ag daoine nach bhfuil ag iarraidh chearta na ndaoine seo a aithint. Níl sé seo inghlactha. Caithfidh sé bheith iomlán soiléir gur choir meas a thaispeáint do Ghaeilgeoirí i gcónaí agus plé leo ar bhonn comhionannais.

Recommendation 2: Recognition and Respect

The granting of official status to the Irish language will also make it clear that the Irish language is to be respected, and that Irish speakers are to be treated on the basis of equality in all areas of public life. In the past, the needs and wishes of Irish speakers have been made light of by those who do not wish to recognise the rights of Irish speakers. This is unacceptable. It must be made clear that the Irish language and those who speak are entitled to respect and to be treated on the basis of equality.

An Ghaeilge sna Cúirteanna | Irish Language in the Courts:**Moladh 1: Deireadh leis an Acht um Riar an Chirt (Éirinn) (Teanga) 1737**

Ba chóir go mbeadh deireadh leis an Acht um Riar an Chirt (Éirinn) (Teanga) 1737 tamall fada ó shin. Tá sé suntasach go bhfuil an reachtaíocht as-dáta seo as feidhm in Albain agus sa Bhreatain Bheag anois, rud a léiríonn nach bhfuil na forálacha sa reachtaíocht seo oiriúnach do mhianta chóras dlí nua-aimseartha.

Recommendation 1: Repeal of Administration of Justice Act 1737

The repeal of the Administration of Justice (Ireland) (Language) Act 1737 is long overdue. The fact that this outdated piece of legislation has been long since repealed in both Scotland and Wales shows clearly that the provisions of this law are not suitable to meet the needs of a modern day legal system.

Moladh 2: Scileanna Aistritheoirí

Caithfear a chinntiú nach bhfuil aon mhoill ar chásanna cúirte mar gheall ar rogha duine a gcás a dhéanamh trí Ghaeilge. Tá córas de dhíth le cinntiú go mbeidh aistritheoirí ar fáil nuair a thagann cás os comhair na cúirte. Le cinntiú go mbeidh go leor daoine cáilithe ar fáil le plé leis na cásanna seo, ba chóir sampla na 26 contae a leanúint i dtaca le mic léinn a ullmhú do na poist bhreise a bhí ag teacht aníos san Aontas Eorpach .i. tuilleadh oiliúna a chur ar fáil atá dírithe ar na scileanna cuí a thabhairt do dhaoine sa dóigh is gur féidir leo plé leis na cúrsaí seo go héifeachtach agus taobh istigh de sprioc ama.

Recommendation 2: Translation Skills

It must be ensured that there is no delay in court cases because of a person's decision to have their case heard through Irish. A system is needed to ensure that translators will be available when a case comes before the courts. To ensure that there will be enough qualified people available to deal with these cases, the example of the 26 counties should be used in relation to preparing students for additional jobs in the European Union i.e. providing extra training which was focused on giving people the necessary skills to ensure that they can deal with these matters in a time bound and effective manner.

Moladh 3: Foirmeacha Clárúcháin

Tá sé tábhachtach go gcinnteofaí gur féidir le daoine na cearta seo a úsáid ar bhonn praiticiúil. Ba chóir go mbeadh daoine ábalta gach saghas foirm chlárúcháin a líonadh isteach as Gaeilge, agus ba chóir go nglacfaí leis na foirmeacha seo gan aon mhoill nó aon shórt baic eile. Clúdaíonn sé seo clárúcháin do bhreitheanna, bhásanna, phósadh nó do pháirtithe sibhialta, agus do chlárúchán ar bith eile a mbeadh ar dhuine éigin tabhairt faoi. Ba chóir go mbeadh na foirmeacha seo ar fad ar fáil go dátheangach, leis an Ghaeilge taobh leis an Bhéarla, le cinntiú go bhfuil sé soiléir agus infheicthe. Nuair a chuirtear an dá theanga ar aon fhoirm amháin, spreagfaidh sé seo daoine atá ag foghlaim na Gaeilge chun úsáid a bhaint as an teanga, agus mar sin tá buntáiste oideachasúil ann fosta. Tá sé seo ag cloí le samplaí dea-chleachtais i dtíortha dátheangacha eile.

Moladh 4: Cúrsaí Oiliúna

Bheadh na céimeanna seo ina n-athruithe suntasach do bhall foirne. Le cuidiú le stát-seirbhísí tuiscint a fháil ar na dualgais atá ag a n-eagraíocht I dtaca leis an Ghaeilge, agus le cinntiú gur féidir glacadh leis na foirmeacha seo agus iad a phróiseáil mar is ceart, ba chóir go mbeadh cúrsaí oiliúna agus feachtas ardaíthe feasachta á réachtáil i gcomhair le heagraíochtaí Gaeilge. Ní amháin go gcuideodh sé seo le baill foirne ar bhonn praiticiúil, ach bheadh níos mó tuisceanna acu ar an teanga agus cúrsaí a bhaineann léi. Ar a bharr seo, nuair is gá, ba chóir ranganna a eagrú do bhaill foirne atá ag iarraidh cur lena gcumas féin sa teanga.

Recommendation 3: Registration Forms

It is important to ensure that these rights can be exercised by those who choose to avail of them in a practical way. People should be able to complete all forms of registration in Irish, and should have those forms accepted and processed without any sort of delay or other hindrance. This would include the registration of births, deaths, marriages or civil partnerships, and any other types of applications or registration that a person has to fill out. All forms which a citizen may be required to complete should be bilingual, with the Irish language beside the English language so that this is clear and visible. By ensuring that forms include both languages, this not only removes the possibility of any difficulties arising because of a person's language choice, but it may also encourage those who are learning the language to use them and therefore be educationally beneficial. This is following best practice in other bilingual communities.

Recommendation 4: Training Courses

The introduction of such measures would entail significant changes for staff members. In order to enable civil servants to understand their organisation's obligations in relation to the Irish language and to ensure that the acceptance and processing of these forms can be carried out correctly, training courses and awareness raising campaigns should be organised in conjunction with Irish language organisations. Not only would this assist employees with the transition to a new system on a practical basis, but it would also increase their understanding of issues concerning the language. In addition to this, where necessary and appropriate, classes should be arranged for those employees who wish to improve their own Irish language competency.

An Tionól | The Assembly:

Moladh 1: Gearáin leis an Choimisinéir Caighdeáin

Le linn na dtograí seo, tá sé á rá go mbeadh cibé ceistanna a thagann aníos mar gheall ar chur i bhfeidhm an Achta seo dírithe ar an Choimisinéir Teanga chun na fadhbanna a réiteach. I gcás an Tionóil, bheadh sé níos oiriúnaí dá mbeadh na ceistanna seo a thagann aníos le linn chúrsaí an Tionóil nó trí phlé leis an Choimisinéir Caighdeáin sa Tionól. Mar gheall air seo, beidh na forálacha a bhaineann le cúrsaí Gaeilge príomhshruthaithe mar chuid lárnach de reáchtáil an Tionóil. Áfach, mar gheall go mbeadh na deacrachtaí a bheadh á dtógáil i dtaca leis na Ghaeilge dírithe ar chúrsaí teanga go príomha, tá sé tábhachtach go mbeadh rogha achomhairc ag dhaoine leis an Choimisinéir Teanga fosta.

Moladh 2: Áiseanna Aistriúcháin sa Tionól

Mar atá ráite sa cháipéis chomhairliúcháin, ba chóir go mbeadh áiseanna aistriúcháin do BTR sa Tionól, mar atá ar fáil i bPárlimintí eile fud fad na cruinne. Faoi láthair, mar gheall nach bhfuil na háiseanna seo ar fáil ach amháin do Cheann Comhairle an Tionóil, tá BTR an-teoranta leis an mhéid Gaeilge ar féidir leo a úsáid mar gheall go gcaithfidh siad gach rud a deir siad a aistriú agus a rá arís i mBéarla. Ciallaíonn sé seo nach bhfuil an ceart ag BTR úsáid a bhaint as an Ghaeilge mar is ceart. Ní amháin gur chóir go mbeadh na seirbhísí seo ar fáil sa Tionól féin, ach ba chóir go mbeadh sé seo sínithe amach le húsáid na Gaeilge a éascú sna Coistí, do BTR agus d'fhinnéithe ar mhaith leo a gcuid fianaise a thabhairt don Tionól as Gaeilge.

Recommendation 1: Complaints to the Standards Commissioner

Throughout these proposals it is indicated that issues which arise in relation to the implementation of an Irish Language Act would be addressed to the Irish Language Commissioner in order to seek redress. In the case of the Assembly, it would be more appropriate that these concerns which arise through Assembly proceedings or in the course of peoples dealing with the Assembly or individual MLAs would be addressed to the Assembly Standards Commissioner. In this way, the provisions relating to the use of the Irish language in the Assembly will be mainstreamed as an integral part of the running of the Assembly. However, considering that the issues which would arise in relation to the Irish language could be specialist in nature, it remains necessary that an appeals process to the Irish Language Commissioner would also be in place.

Recommendation 2: Translation facilities in the Assembly

As is stated in the consultation document, there should be translation facilities available for MLAs in the Assembly, as are available in other parliaments across the world. At present, as these facilities are only available to the Speaker, MLAs are very limited to the amount of Irish they can use as they have to translate and repeat all that they say into English. This means that MLAs do not have the option of using Irish in the Assembly in a meaningful way. These facilities should not only be included in the Assembly chamber, but should also be extended so that Irish can be used in Committees, both by MLAs and by witnesses who chose to give their evidence before the Committee in Irish.

Moladh 3: Aistriúcháin Cháipéisí

Molann cuid (d) den cháipéis chomhairliúcháin go mbeadh Bilí agus Achtanna foilsithe go dátheangach go huathoibríoch i nGaeilge agus i mBéarla. Cé go bhfuil sé seo tábhachtach, ba chóir go mbeadh sé seo sínithe amach le cáipéisí agus le heolas eile a chur san áireamh fosta, mar shampla, an suíomh idirlín, Dialann Gnó an Tionóil, clár ama na gCoistí srl. Seo an t-eolas a bhíonn de dhíth ar bhaill den phobal níos minice, agus ba chóir gur féidir leo rogha teanga a dhéanamh agus iad ag iarraidh teacht ar an ábhar seo.

Recommendation 3: Translation of documents

Part (d) of the consultation document recommends that Bills and Acts are published simultaneously in Irish and English. While this is important, this should be extended to include other documents and information, for example, the website, the Assembly Business Diary and schedules of Committees etc. This is the sort of information that members of the public access on a more regular basis, and so they should be able to choose the language in which they access this material.

Comisínéir Teanga na Gaeilge | The Irish Language Commissioner:

Moladh 1: Go leor Acmhainní d'Oifig an Choimisinéara

Tá cuid mhór dualgas luaite sa cháipéis chomhairliúcháin seo d'oifig nua an Choimisinéara Teanga. Mar sin de, tá sé iontach tábhachtach go bhfuil go leor acmhainní ag an oifig seo leis an obair chrua seo a dhéanamh mar is ceart. Bheadh tuilleadh fadhbanna ann maidir le cur i bhfeidhm an Achta seo mura dtarlaíonn sé seo, mar gheall go bhfuil an ról seo chomh leathan sin.

Moladh 2: Athbhreithniú ar Bhilí agus Pholasaithe an Fheidhmeannais

Bunaithe ar shampla na Breataine Bige, ba chóir go mbeadh an deis ag an Choimisinéir Teanga athbhreithniú a dhéanamh ar pholasaithe nó Bilí ar bith atá le foilsiú, le cinntiú nach ndéanadh siad aon dochar don teanga, go díreach nó go hindíreach. Más rud gurb é seo an cás, seolfaí ráiteas chuig an Aire ag míniú na bhfadhbanna agus ag déanamh moltaí leis na fadhbanna seo a réiteach nó a sheachaint.

Recommendation 1: Ensure adequate resources for the Office of the Commissioner

The consultation document proposals contain a very wide range of responsibilities for the new office of the Irish Language Commissioner. It is, therefore, very important that this office is adequately resourced to carry out its demanding work. Considering the proposed breadth of the Commissioner's remit, a failure to do so could lead to wider problems in the implementation of an Irish Language Act.

Recommendation 2: Review of Executive Bills and Policies

Following the example of Wales, the Irish Language Commissioner should have an opportunity to review any Executive bills or policies which are to be published in order to ensure that they don't contain any proposals which could cause harm, direct or indirect, to the use of the Irish language. In cases where this is the case, a statement explaining these problems would be sent to the Minister with recommendations to resolve or avoid these problems.

Moladh 3: Neamhspleáchas an Ról

De réir forail (d) sa chaipéis chomhairliúcháin seo ‘comhlíonfaidh an Coimisinéir Gaeilge a c(h)uid dualgas go neamhspleách ar an rialtas.’ Tá sé iontach tábhachtach go mbeidh an ról seo neamhspleách agus apolaitíoch. Níor chóir go mbeadh aon ghrúpa polaitíochta ag déanamh iarracht tionchar a imirt ar chinntithe an Choimisinéara.

Moladh 4: Ról Comhairleach

Ba chóir go mbeadh an duine seo ina c(h)omhairleoir fosta. Ba chóir go mbeadh an Coimisinéir agus na baill foirne an-eolach ar na céimeanna atá de dhíth leis an Ghaeilge a chur chun cinn sa saol poiblí, agus mar gheall air seo, ba chóir go mbeadh ról lárnach acu in aon scéim nó aon pholasaí a dhréachtú i dtaca leis an Ghaeilge sa todhcháí.

Comhlachtaí Poiblí | Public Bodies:

Moladh 1: Treoir agus Comhairle

Tá treoir shoiléir agus comhairle shuntasach de dhíth le cinntiú go bhfuil comhlachtaí poiblí ábalta cibé dualgais atá orthu a chomhlíonadh. Le cur i bhfeidhm na rialacha nua, ba chóir go mbeadh comhairle agus tacaíocht ar fáil go réadúil leis na caighdeáin a bhaint amach i dtús báire. Clúdaíonn sé seo: oiliúint, comhairle do bhainisteoirí ar dhualgais a roinnt, cad é mar is féidir timpeallacht dátheangach a chruthú srl.

Moladh 2: Ardú Feasachta

Caithfear baill den phobal a chur ar an eolas go bhfuil na seirbhísí seo ar fáil dóibh trí Ghaeilge ó chomhlachtaí poiblí. Is dócha, go háirithe ag an tús, nach mbeidh a fhios ag daoine cad iad na seirbhísí atá/nach bhfuil ar fáil dóibh trí Ghaeilge, agus mar sin is gá treoir a thabhairt dóibh faoi na hathruithe atá i ndiaidh titim amach.

Recommendation 3: Independence of Role

Provision (d) in the consultation document states that the Commissioner ‘will carry out his/her duties independent of government.’ This is a very important provision as it is essential that this role is independent and apolitical. No politically affiliated group should attempt to influence the Commissioner’s decisions.

Recommendation 4: Advisory Role

This should also be an advisory role. The Commissioner and those working in their office should be knowledgeable on the steps that are needed to promote the Irish language in public life, and because of this they should have a central role in the drafting of any scheme or policy related to the Irish language in the future.

Recommendation 1: Guidance and Advice

Clear guidance and substantial advice is needed to ensure that public bodies are able to fulfil whatever responsibilities are given to them. At the introduction of the new rules, there should be advice and assistance readily available to achieve the standards in the first place. This includes: training, advice for managers on responsibility sharing, how to create a bilingual environment etc.

Recommendation 2: Awareness Raising

Members of the public must be made aware of the services that are available to them through Irish from public bodies. It is likely, especially at the beginning, that people won’t know what services are/aren’t available to them through Irish and therefore will need guidance to make them aware of the changes which have occurred.

Moladh 3: Oiliúint do Bhaill Foirne

Mar atá ráite thuas i 'Gaeilge sna Cúirteanna', Moladh 3, ba chóir go mbeadh oiliúint ar fáil do stát-seirbhísí le cuidiú leo a gcuid dualgas nua a chomhlíonadh agus le cinntiú go mbeadh na seirbhísí atá ar fáil trí Ghaeilge ar chomh-chéim leo siúd atá ar fáil trí Bhéarla. Ba chóir iniúchadh a dhéanamh fud fad na stát-seirbhíse le líon na nGaeilgeoirí atá ann faoi láthair a mheas agus le cinntiú go mbainfí an úsáid is fearr as na scileanna teanga atá acu.

Moladh 4: Comhfhreagras

Le stádas oifigiúil na Gaeilge a aithint, ba chóir go mbeadh dualgas ar Ranna Feidhmeannaigh glacadh le comhfhreagras ón phobal i nGaeilge agus freagra a thabhairt dóibh as Gaeilge fosta.

Recommendation 3: Training for Employees

As is stated above in Irish Language and the Courts, Recommendation 3, training should be provided for civil servants to help them to fulfil their duties to ensure that the delivery of services through Irish are of an equal standard to those delivered in English. An audit should also be carried out throughout the civil service to establish the number of Irish speakers there are currently employed and to ensure that best use is made of their language skills.

Recommendation 4: Correspondence

In recognition of the official status of the language, there should be a responsibility on Executive Departments to accept correspondence from members of the public in Irish and to provide a response to them in Irish.

Scéimeann Teanga | Language Schemes:

Moladh 1: Caighdeán Teanga a thabhairt isteach do Chomhlachtaí Poiblí

In áit sraith scéimeanna teanga a thabhairt isteach, moltar anseo go mbainfí úsáid as caighdeán theanga mar atá le feiceáil sa Bhreatain Bheag. Bhí córas scéimeanna teanga in úsáid sa Bhreatain Bheag mar atá luaite sa cháipéis chomhairliúcháin, agus cé raibh na scéimeanna teanga seo éifeachtach go pointe le húsáid na teanga a mhéadú, tá an córas sin athruithe anois ó a bhí 2011 ann.¹³ Ciallaíonn córas caighdeán do chomhlachtaí poiblí go mbeadh rangú déanta ar chomhlachtaí poiblí agus go mbeidh liosta seirbhísí a bheas ar fáil trí Ghaeilge curtha le chéile do ghach catagóir, mar shampla, bheadh na hinstiúidí tríú leibhéal ar fad in aon chatagóir amháin agus liosta le 10 seirbhís atá ar fáil trí Ghaeilge, cibé instiúid ina bhfuil siad.

Tá dhá bhuntáiste shuntasacha ann leis an chóras seo in áit chóras scéimeanna teanga: I dtús báire, tá an córas seo níos soiléire agus níos leanúnaí, rud a chiallaíonn go mbeadh daoine níos eolaí ar na rudaí ar féidir leo a éileamh ó chomhlachtaí poiblí, agus bheadh níos mó seans ann go n-iarrfadh siad seirbhísí Gaeilge a úsáid. Ar a bharr seo, bhainfeadh an córas seo dualgas ó chomhlachtaí poiblí scéimeanna dá gcuid féin a chruthú agus a chur i bhfeidhm. Déanfaidh sé seo méid an mhaorlathais a laghdú agus ní bheadh gá do ghach chomhlacht poiblí a scéim féin a chruthú ón tús.

Recommendation 1: Introduction of Language Standards for Public Bodies

Instead of introducing a series of language schemes, it is recommended here that standards are introduced as is seen in Wales. Wales had previously used a system of language schemes as suggested in the consultation document, and although these effective to a point in facilitating the increased awareness and use of the Welsh language, the system has now changed since 2011.¹⁴ The system of standards for public bodies means that that public bodies would be ranked and a list of the services that should be provided through Irish assigned to each category, for example, all third level institutions would be in one category and a list of 10 services available to students through Irish, no matter what institution they are in.¹⁵

There are two main advantages to this system instead of a system of language schemes: Firstly, this system is clearer and more consistent, meaning that members of the public are more certain of what services they can expect from public bodies and therefore will be more likely to ask to use these services. Secondly, this system would remove the obligation on public bodies to design and implement a scheme of their own. This will reduce bureaucracy and the need for each individual public body to design their own scheme from the beginning.

¹³ Welsh Language (Wales) Measure 2011

¹⁴ Welsh Language (Wales) Measure 2011

¹⁵ More information on the use of standards in Wales is available at

<http://gov.wales/docs/dcells/consultation/141106-consultation-welsh-language-standards-en.pdf>

Moladh 2: Monatóireacht forbartha

Ba chóir go mbeadh athbhreithniú leanúnach á dhéanamh ar dhul chun cinn na gcomhlachtaí poiblí le cinntiú gur féidir leo cibé comhairle maidir le tacaíocht breise a bheadh de dhíth a fháil lena gcuid spriocanna a bhaint amach. i. ní bheadh siad ag fanacht go dtí deireadh scéime/tréimhse ama fada le moltaí a fháil faoi dhul chun cinn na heagraíochta. Ba chóir go mbeadh córas comhairleach ar fáil do chomhlachtaí poiblí atá praiticiúil agus úsáideach. Ní leor glacadh le scéim nó caighdeáin a thabhairt isteach gan tacú le comhlachtaí na spriocanna seo a bhaint amach, go háirithe ag tús scéime/cur i bhfeidhm caighdeáin nua. Ciallaíonn sé seo nach mbeadh aon leithscéal ag comhlachtaí poiblí gan a gcuid dualgas a chomhlíonadh, agus beidh siad in ann úsáid a bhaint as samplaí dea-chleachtais eile leis seo a dhéanamh.

Recommendation 2: Monitoring of Progress

There should be an ongoing review of the progress made by public bodies by the Irish Language Commissioner, to ensure that they can get whatever advice or additional support is needed in order to achieve their targets i.e. they wouldn't have to wait until the conclusion of a scheme/long period of time in order to receive recommendations on their progress. An advisory system should be available to public bodies which is practical and useful. It isn't enough to approve a scheme or introduce standards without helping the public bodies to achieve these targets, particularly at the beginning of a scheme/the implementation of new standards. This means that public bodies will not be able to make excuses for not having fulfilled their obligations, and that they will be able to follow examples of best practice in order to do this.

Limistéir Ghaeltachta | Gaeltacht Areas:

Moladh 1: 'Hubs' nó Aonaid Gaeilge

Cheana féin, tá ceantair ann le pobail Ghaeilge láidir atá faoi bhláth, a bhfuil tacaíocht agus infheistíocht tuitte acu le seirbhísí a chur ar fáil trí Ghaeilge sna ceantair féin, mar gheall ar an éileamh atá ann. Tá baol ann go dtiocfadh le aitheantas limistéir teorainn a chur ar fhorbairt seirbhísí i gceantar mar gheall go luíonn sé díreach taobh amuigh de cheantar áirithe. Thiocfadh le 'hubs' nó aonaid a úsáid mar bhealach leis an infheistíocht agus aitheantas cuí a thabhairt isteach chuig ceantar gan teorann a chuir ar fhorbairtí sa todhchaí.

Recommendation 1: Irish language 'hubs' or 'units'

Already, there exists several areas with strong and thriving Irish language communities, which deserve support and investment in order to meet the demand for services through the medium of Irish in these areas. A danger exists that the drawing of borders could lead to restrictions of the development of the services in an area because of areas that lie directly outside of a particular area. 'Hubs' or Irish language units could be used instead as a way to bring the necessary investment and recognition to an area without potentially limiting future developments.

Moladh 2: Critéir Soiléir

Tá critéir shoiléire de dhíth leis an stádas seo a bhaint amach. Tá sé seo de dhíth le cinntiú nach mbeadh bacanna os comhair pobal mar gheall ar spriocanna neamhréalaíoch nó deacrachtaí eile a chuirfeadh moill ar dhul chun cinn. Beidh sé an-soiléir sa chritéir seo cad iad na rudaí atá speisialta faoi na ceantair Ghaeilge seo, agus beidh na gnéithe is tábhachtaí i saol phobal Gaeilge aibhsithe, le cuidiú le húdaráis eile obair leis an phobal lena riachtanais teanga a éascú. Le teacht an stádais seo, ba chóir go mbeadh tacaíocht agus treoir ar fáil le cuidiú le ceantair obair i dtreo an stádais seo a bhaint amach. Sa bhealach seo, is féidir leis an fhéideartachtaí an phobail sin a chomhlíonadh, ach gan an tacaíocht seo, bheadh sé níos deacra do ghrúpaí na chritéir seo a chomhlíonadh leo féin.

Moladh 3: Pleanáil Ceantair agus Tacaíocht Cui

Ba chóir go mbeadh an tacaíocht ata curtha ar fáil do na ceantair seo oiriúnach do cheantair dhifriúla – is cosúil nach mbeadh an tacaíocht atá ar fáil i gceantar amháin oiriúnach do cheantar eile, go háirithe maidir le scoilt uirbeach/iarghúlta. Caithfear seo a chur san áireamh i ndrúchtú critéar leis an stádas seo a bhaint amach. I dtaca le ceantair a bhaineann an stádas speisialta seo amach, ba chóir go mbeadh dualgas ar na húdaráis ar fad pleanáil a dhéanamh ar na riachtanais teanga sa cheantar sin agus iad ag plé leis. Clúdaíonn sé seo cinnithe atá le déanamh maidir le cúrsaí oideachais, seirbhísí óige, seirbhísí comhairlí áitiúla srl.

Recommendation 2: Clear Criteria

A clear criteria should be established for achieving this status. This is needed so that communities working towards achieving this status cannot be hindered by unrealistic expectations or other difficulties which would hinder their progress. This criteria will also make it very clear what makes these Irish language areas distinct, and the criteria would highlight the most important issues which play a role in the life of an Irish language community, meaning that other authorities can work to facilitate the community in relation to these areas. Once this criteria is established, support and guidance should be available so that areas can work to achieve this status. In this way, the potential which exists in areas to achieve this status can be realised, whereas without this support and guidance, groups could find themselves in a situation where they cannot meet the criteria by themselves.

Recommendation 3: Area Planning and Tailored Support

The support which is made available for these areas should be made suitable for different areas – it is likely that the support that would be needed in one area wouldn't be what is needed in another area, especially in relation to an urban/rural divide. This needs to be taken into consideration when designing the criteria to be met in order to achieve this status, and it also needs to be considered after status has been achieved. For any area which receives this special status, all authorities with roles in planning for the provision of services in these areas should have a duty to take into consideration the particular needs of the Irish language community in that area. This would include decisions to be made in relation to education, youth services, local council services etc.

Logainmneacha | Place-names:

Moladh 1: Aitheantas do

Logainmneacha agus Seoltaí Gaeilge

Mar chuid d'aitheantas oifigiúil na Gaeilge, ba chóir go nglacfadh comhlachtaí poiblí le hainmneacha agus le seoltaí Gaeilge, logainmneacha agus ainmneacha sráide san áireamh. Tá dualgas ag údaráis áitiúil faoin CETRM glacadh le leagan traidisiúnta de logainmneacha agus sloinntí teaghlaigh, agus ba chóir go mbeadh an ceart seo cosanta i reachtaíocht.

Moladh 2: Soláthar Poist

Tá sé tábhachtach go n-oibreodh Royal Mail nó aon chomhlacht eile le cinntiú nach mbeadh aon mhoill ar sholáthar poist agus logainmneacha nó seoltaí Gaeilge in úsáid. Más rud gur tharla sé seo, ní bheadh daoine ábalta úsáid a bhaint as a n-ainmneacha Gaeilge ar bhealach phraiticiúil, rud a chiallaíonn go mbeadh a gcearta teoranta.

Moladh 3: Tionscadal Logainmneacha

Ba chóir scéim fheasachta a réachtáil le tábhacht na logainmneacha dúchasacha a chur i mbéal an phobail, le go mbeadh gach duine sa phobal ar an eolas faoi. Ba chóir tacaíocht a lorg ón 'Tionscadal Logainmneacha' a bhí ar bun ag Ollscoil na Banríona le cinntiú go mbainfí úsáid as na leaganacha cearta de logainmneacha áitiúla.

Recommendation 1: Recognition of Irish names and addresses

As part of the official recognition of the Irish language, all public bodies should accept names and addresses in Irish, including place names and street names. Local authorities have a responsibility under the ECRML to accept traditional forms of place names and family surnames, and this right should be enshrined into this legislation.

Recommendation 2: Delivery of Post

It is important that Royal Mail or any other organisation works to ensure that there is no delay on the delivery of post because of the use of place names or addresses in Irish. If this situation were to arise, it would lead to a case of people not being able to use their names or addresses in a practical way, which would mean that, in effect, their rights would be restricted.

Recommendation 3: Place-names Project

There should be an awareness campaign on native place names in order to illustrate their importance to the public and the links that the language has with local communities in every county. The 'Place Names Project' at Queen's University Belfast should be reinstated in order to complete the work they started and to ensure that the correct, standard versions of local place names are used.

Oideachas | Education:

Tá an togra le cearta ar Ghaeloideachas a chinntiú le moladh sa cháipéis chomhairliúcháin seo. Dá mbeadh an ceart seo luaite go soiléir i reachtaíocht ní bheadh aon amhras fágtha, mar atá faoi láthair i dtaca leis an cheist seo. Mar a seasann sé faoi láthair, is léir go bhfuil ceart ar Ghaeloideachas anseo cheana féin, bunaithe ar chleachtas idirnáisiúnta a bunaíodh roimhe seo.

Go fóill, tá roinnt fadhbanna bainte leis an chóras Gaeloideachais anseo agus tá deacrachtaí rompu siúd atá ag iarraidh oideachas a fháil trí mheán na Gaeilge. Tá sé seo in ainneoin an dualgais reachtúil atá ann leis an Ghaeloideachas a éascú agus a spreagadh, dualgas a cuireadh ar an Roinn Oideachais tríd an Ord Oideachais (Tuaisceart na hÉireann) 1998. Le dul i ngleic leis na fadhbanna seo mar is ceart, agus le cinntiú gur féidir le daoine úsáid cheart a bhaint as an cheart seo ar Ghaeloideachas, ba chóir píosa reachtaíochta faoi léith a chruthú le dul i ngleic leis na fadhbann seo.

The proposal to guarantee a right to Irish-medium education is a very welcome provision in the consultation document. The articulation of this right at this level will remove any ambiguity that currently exists in relation to this matter. As it stands, the right to education through the medium of Irish here may already exist based on international precedents which have been established.¹⁶

There continues to be a range of issues associated with the Irish-medium education system and difficulties are faced by those wishing to access education through the medium of Irish. This is in spite of the duty to encourage and facilitate Irish-medium education that was placed on the Department of Education through the Education (Northern Ireland) Order 1998. In order to properly address these concerns, and in order to ensure that the right to access education through the medium of Irish can be properly exercised, it is suggested here that a bespoke piece of education legislation to deal with these issues is necessary.

¹⁶ See Prof. Dr. Fernand de Varennes, Education, Discrimination and Language, 13 March 2015

Moladh 1: An Dualgas Reachtúil

Faoi láthair, níl aon tionchar ag an dualgas reachtúil le Gaeloideachas ‘a spreagadh agus a éascú’ ach ar an Roinn Oideachas, agus níl tionchar aige ar na comhlachtaí poiblí atá freagrach as cuid mhór de na réimsí praiticiúla ar bhonn laethúil. Ruaigfeadh síneadh amach an dualgais seo go dtí comhlachtaí eile aon amhras a mhaireann maidir leis an géarghá le hobair a dhéanamh chun an Gaeloideachas a spreagadh agus a éascú. Tháinig an dualgas seo amach as Comhaontú Aoine an Chéasta agus bheadh síneadh amach an dualgais seo ag cloí le spiorad an Chomhaontaithe seo. Mar atá ráite thuas, léirigh an cás Ard Chúirte Coláiste Feirste v Roinn Oideachais (2011) go raibh an dualgas seo i gcónaí chun ‘practical consequences and legislative significance’ a bheith aige. Mar sin de, is bealach soiléir é seo leis an dualgas seo a chomhlíonadh ná an dualgas seo a leathnú amach leis an Údarás Oideachais nua agus comhlachtaí oideachais eile a chur san áireamh.

Moladh 2: Sainriachtanais Oideachais

Ní mór go mbeadh soláthar ceart dírithe ar shainriachtanais na nGaelscoileanna, mar atá sna scoileanna Béarla. Ní mór go mbeadh aona(i)d ina bhfuil páistí le sainriachtanais oideachasúla ón earnáil Gaeilge in inmhe tacaíocht shainiúil, dírithe a fháil, trí Ghaeilge. Ba chóir go mbeadh an Bille um Sainriachtanais Oideachais atá ag dul fríd an Tionól faoi láthair airdeallach air seo agus ar na riachtanais áirithe breise atá ag páistí le sainriachtanais oideachais i gcóras tumoideachais. Clúdaíonn sé seo gach tacaíocht agus cuidiú a chur ar fáil trí Ghaeilge, agus fosta go mbeadh cibé oiliúint nó treoir atá ar fáil d’fhostaithe scoile nó do Bhoird Gobhnóirí dírithe ar riachtanais lucht an tumoideachais.

Recommendation 1: The Statutory Duty

As it currently stands, the statutory duty to ‘encourage and facilitate’ Irish-medium education only applies to the Department of Education, and not to the departmental public bodies which carry out a wide range of practical functions on a daily basis. The extension of this duty to these other bodies will remove any remaining ambiguity regarding the need to work to encourage and promote Irish-medium education. The duty in the 1998 Order was enacted based on the promotion of Irish in the Good Friday Agreement, and therefore the extension of this duty would be in keeping with the spirit of that Agreement. As stated, the High Court case of Coláiste Feirste v Department of Education (2011) showed that the duty was always intended to have ‘practical consequences and legislative significance’ and was not meant to be ‘merely aspirational.’ Therefore, a way in which to ensure that fulfilment of this duty is to extend it to include the new Education Authority and to any other education bodies.

Recommendation 2: Special Educational Needs

There should be proper provision made for Special Educational Needs in Irish-medium schools, as is available in English-medium schools. There should be dedicated units where children with special educational needs from the Irish-medium sector can access expert, tailored support through the medium of Irish. The SEN Bill which is currently passing through the Assembly should take into consideration the additional needs of children and young people who are receiving their education in an immersion environment and who have specific needs because of this. This includes ensuring that all support and assistance can be made available to parents and children in the

Moladh 3: Aitheantas ar Thábhacht Foghlaim Teangacha Eile

Ba chóir go mbeadh níos mó béime curtha ar fhoghlaim teangacha fríd an chóras oideachais ar fad. Fosta, ba chóir go mbeadh scéim á reáchtáil le foghlaim na Gaeilge a spreagadh ag leibhéal Bunscoile agus iar-bhunscoile san earnáil Bhéarla – dóibh siúd ar suim leo í.

Bhí an ‘Primary Languages Programme’ an-mhaith ag cuidiú le páistí óga foghlaim faoin tábhacht a bhaineann le teangacha breise. Fosta, is mór an buntáiste atá ann do pháistí teangacha a fhoghlaim agus iad an-óg, agus léiríonn taighde go mbíonn sé níos fusa dóibh teangacha a fhoghlaim sna luathbhlianta seo. Ag an dara leibhéal, ba chóir go mbeadh teangacha aitheanta mar ábhair riachtanacha do GCSE, agus ba chóir úsáid a bhaint as na modhanna céanna le daoine a spreagadh le teangacha a fhoghlaim mar a dhéantar leis na hábhair ETIM. Chuideodh sé seo le haird daoine óga a dhíriú ar theangacha agus an tábhacht a bhaineann le foghlaim teangacha nua a léiriú dóibh. Bheadh gach scoil ábalta rogha a dhéanamh faoi na teangacha a gcuirfidh siad ar fáil do na scoláirí, agus mar gheall air seo bheifí ag dúil go mbeadh níos mó scoláirí ag déanamh staidéir ar an Ghaeilge.

Irish-medium sector, and also means that any training and guidance which is to be given to staff members or Boards of Governors should be tailored to suit the needs of those in an immersion education system.

Recommendation 3: Recognition of Importance of Additional Languages

The importance of learning additional languages should be recognised throughout the entire education system. Also, a scheme should be in place to encourage the learning of Irish at Primary and Secondary level in the English-medium sector for those who wish to avail of it. The Primary Languages Programme was an effective way of introducing languages into schools, and helping children to understand from a very young age the importance of learning additional languages. Also, there is great benefit in children learning languages when they are very young as studies have consistently shown that they will find them easier to learn at an early age. At second level languages should be recognised as a mandatory subject at GCSE level, and the same methods should be used to raise awareness of the importance of language learning as is done for STEM subjects. This will facilitate greater awareness of languages amongst young people and highlight the importance of additional language learning as a key skill. Each school will then be able to choose which languages to provide for their students, which should lead to more schools choosing Irish for GCSE.

Measúnú ar Thionchar Comhionannais | Equality Impact Assessment:

Roimhe seo, bhí ceisteanna teanga nasctha le ceisteanna dea-chaidrimh. Níor chóir go mbeadh ceisteanna a bhaineann leis an Ghaeilge i gcónaí faoi scáth ‘dea-chaidrimh’. Mar gheall nach bhfuil aon mhíniú dleathach, soiléir ar ‘dhea-chaidrimh’ anseo, ciallaíonn sé seo go mbeidh na ceisteanna seo faoin Ghaeilge faoi chúram Feidhmeannach agus oifigigh aonaracha, agus is minic a chuireann sé seo isteach ar fhás na Gaeilge. Is ábhar comhionannais í an Ghaeilge, agus ba chóir plé léi ar a buanna féin. Léiríonn an cinneadh a rinne Comhairle Ceantair an Iúir, an Mhúrn agus an Dúin ar na mallaibh, le bheith ag plé leis an Ghaeilge mar cheist chomhionannais gur féidir é seo a dhéanamh, in áit ceist na Gaeilge a chaitheamh isteach le cúrsaí dea-chaidrimh i gcónaí. Tá sé seo indéanta taobh istigh den reachtaíocht chomhionannais agus spriocanna dea-chaidrimh atá leagtha síos cheana féin. Tá sé ráite ag daoine a bhfuil a gclár féin acu nár mhaith leo Acht Gaeilge a fheiceáil mar gheall go ndéanfaid sé idirdhealú idir daoine agus go mbeadh sé de leas cuid amháin den phobal. Ní léiríonn na tuairimí seo an fíor-phictiúr atá le sonrú ar phobal na Gaeilge faoi láthair. Tá an Ghaeilge ag croí-lár na hoidhreacht atá roinnte againn ar fad, agus tá pobal na Gaeilge oscailte agus ag cur fáilte roimh dhuine ar bith ar suim leo bheith páirteach ann.

Níl bealach ar bith ann go mbeadh tionchar diúltach ag Acht Gaeilge ar chearta duine ar bith. Mar gheall go mbeadh an reachtaíocht seo ag cosaint cearta mionlaigh, beidh sé ag cur leis an rud is dea-chaidrimh ann anseo agus ag cinntiú go bhfuil meas agus aitheantas á léiriú dóibh siúd roghnaíonn an Ghaeilge a úsáid.

Baintear úsáid as reachtaíocht fud fad an domhain le cearta daoine a chosaint. Níl rud ar bith istigh sna tograí seo a chuirfidh duine ar bith faoi bhagairt, a chuirfidh isteach ar dhuine ar bith nó a bheith ag obair in éadan daoine. Níl idirdhealú ar bith i gveist má chomhlíontar na dualgais sa CETMR.

In the past, questions relating to the Irish language have been linked to questions of good relations. Issues relating to the Irish language should not always be regarded as a good relations issue. The fact that ‘good relations’ has no clear, legal definition here means that decisions relating to the language were left to the whim of particular executives and officers and have, in many cases, stymied the growth of the language. The Irish language is an equality issue, and should be considered on its own merits. The decision recently taken by the Newry, Mourne and Down District Council to consider matters relating to the Irish language on the basis of equality instead of solely as a matter relating to good relations shows that it is possible to do this, and to remain compatible with all equality legislation and good relations aims which currently exist.

It has been said by those who have their own agenda that they do not wish to see an Irish Language Act because it would be discriminatory and would benefit one part of the community only. Such commentary fails to reflect the reality of life in the Irish language community. The Irish language is something which is part of our shared heritage and the Irish language community is one which is accessible and open to all who choose to be a part of it.

There is no way in which the introduction of an Irish Language Act could have a negative impact on the rights of any person. The fact is that the introduction of this legislation will safeguard the rights of a minority and will contribute to good relations through ensuring that due respect and recognition is given to those in the community who have chosen to live their lives through Irish. Legislation protecting minority languages is used across the world to ensure that people’s rights are safeguarded. There is nothing in these proposals which could in any way threaten, offend or work against anyone else, there is no discrimination to be found against anyone if the obligations under the ECRML are followed.

Moltaí Eile | Other Recommendations:

Craoltóireacht Ghaeilge | Irish Language Broadcasting:

Aithníonn Conradh na Gaeilge an obair shuntasach atá déanta i dtaca le craoltóireacht Gaeilge, go háirithe tríd an Chiste Chraoltóireachta Gaeilge. Caithfí tógáil ar an obair seo mar gheall ar éileamh phobal na Gaeilge. Go háirithe, caithfear níos mó a dhéanamh le riachtanais dhaoine óga a aithint sna meáin dhifriúla.

Ba chóir don stáisiún Gaeilge Raidió Rí Rá, atá á chraoladh sa dheisceart agus ar fáil ar line, bheith ar fáil ar raidió FM anseo. Ba chóir na craoltóirí anseo a spreagadh agus a mhealladh le tuilleadh ábhar a chur ar fáil trí Ghaeilge gach bliain.

Conradh na Gaeilge recognises the considerable work that has happened in relation to Irish language broadcasting through, primarily, the work of the Irish Language Broadcasting Fund. This work needs to be built on and expanded in order to meet the growing demand from the Irish language community. In particular, more needs to be done to meet the needs of young people various media.

The radio station Ráidió Rí Rá, which is broadcast in the south and available online, should be made available on FM radio here. In addition, public service broadcasters should be encouraged and incentivised to provide more material through Irish every year.

Infheistíocht i nDaoine Óga | Investment in Young People:

Tá sé riachtanach go bhfuil cur i bhfeidhm an Achta seo agus Stráitéis na Gaeilge maoinithe mar is ceart agus go bhfuil go leor acmhainní ar fáil leis na spriocanna atá leagtha síos a bhaint amach mar is ceart. Leis seo a dhéanamh, is gá úsáid cheart a bhaint as na háiseanna atá ar fáil.

Is é an grúpa deimeagrafiúil is mó i bpobal na Gaeilge ná páistí agus daoine óga. Mar gheall ar ráth na hearnála óige, méadú na dtuismitheoirí atá ag tógáil páistí trí Ghaeilge agus múineadh na Gaeilge i scoileanna Béarla, tá líon na ndaoine óga atá ag cuartú seirbhísí agus deiseanna trí Ghaeilge ag fás bliain i ndiaidh bliana. Mar sin de, ba chóir díriú isteach ar riachtanais páistí agus daoine óga i gcur i bhfeidhm an Achta agus na Stráitéise seo. Trí seo a dhéanamh, ní amháin go mbeadh na daoine óga seo ábalta úsáid a bhaint as a gcearta, ach bheadh infheistíocht déanta i bpobal na Gaeilge.

Tá dhá bhealach ann ar féidir infheistíocht a dhéanamh le tionchar dearfach a imirt ar an phobal ar fad anseo. Is féidir seo a dhéanamh trí sheirbhísí do dhaoine óga san earnáil óige Ghaeilge agus trí sholáthar cáilíochtaí trí mheán na Gaeilge fosta.

Le blianta beaga anuas, tá fás agus forbairt tagtha ar an earnáil óige Ghaeilge tríd an obair atá déanta ag oibríthe agus oibrí deonacha. Tá eagraíochtaí ar nós Fóram na nÓg agus Ógras ag obair le cuidiú le clubanna óige forbairt, agus tá an obair seo ag dul ó neart go neart, in ainneoin easpa na n-áiseanna atá ar fáil don earnáil faoi láthair. Léirigh comhairliúchán a rinne Fóram na nÓg 2013 nach raibh aon deis eile ag 95% de dhaoine óga atá in earnáil na Gaelscolaíochta faoi láthair an teanga a úsáid go rialta taobh amuigh den scoil. Tá níos mó tacaíochta de dhíth ag an earnáil le cinntiú go mbeidh deiseanna ag Gaeilgeoirí óga an teanga a úsáid taobh amuigh den scoil.

It is essential that the implementation of this Act and the Strategy for the Irish Language are properly funded and resourced in order to ensure that the aims set out can be properly achieved. To do this, effective use must be made of the resources available.

The largest and fastest growing demographic in the Irish language community at present are children and young people. Due to the success of the Irish-medium education system, the increase in parents raising their children through Irish and the teaching of Irish in English-medium schools, the number of children and young people seeking services and opportunities through Irish is growing year on year. Therefore, special attention should be paid to the needs of children and young people in the implementation of this Act and in the implementation of the strategy. This will not only ensure that the children and young people are able to avail of their language rights, but it will also be an investment in the Irish language community.

There are two ways of investing in young people in a way which will have a positive impact on the entire community. This can be done through the Irish-medium youth sector, and through the delivery of qualifications through the medium of Irish.

The Irish-medium youth sector has grown considerably over recent years through the work of volunteers and youth workers in youth workers. Organisations such as Fóram na nÓg and Ógras have worked to help individual clubs to develop, and this work is going from strength to strength, in spite of a lack of resources. A consultation carried out by Fóram na nÓg in 2014 showed that 95% of young people in Irish-medium schools don't have an opportunity to use Irish regularly outside of school, aside from at their youth club. More support is needed for the sector to ensure that young Irish speakers have the opportunity to use Irish outside of school.

Ba chóir don obair atá á déanamh i bhForbairt Feirste a fhorbairt agus a leathnú amach. Cuireann Forbairt Feirste cáilíochtaí ar fáil trí mheán na Gaeilge i gcomhar le Coláiste Ceannchathartha Bhéal Feirste, ag cuidiú le daoine cur le gach gné de shaol na Gaeilge, ar bhonn sóisialta, cultúrtha agus eacnamaíochta. Ba chóir tuilleadh áiseanna a chur i dtreo na hoibre seo le cur leis an chumas atá ag pobail Ghaeilge tuilleadh deiseanna a chur ar fáil trí Ghaeilge.

The work that is carried out in organisations such as Forbairt Feirste should be developed and expanded. Forbairt Feirste provides training and qualifications through the medium of Irish in partnership with Belfast Metropolitan College, enabling these people to contribute to all aspects of the Irish language community, socially, culturally and economically. This work should be strengthened and expanded to build the capacity of those in Irish language communities and to provide further opportunities for training and development through the medium of Irish.

Conclúid | Conclusion:

Tá éileamh ann do chosaint reachtúil don Ghaeilge le blianta fada anuas, ag leibhéal áitiúil, náisiúnta agus idirnáisiúnta.

Léiríonn na pointí seo thuas an géarghá atá ann reachtaíocht mar seo a thabhairt isteach. Tá sé seo de dhíth le cearta pobail Ghaeilge atá ag fás agus faoi bhláth a chosaint. Is bunús láidir iad na tograí sa cháipéis seo le reachtaíocht láidir, chuimsitheach a dhréachtú .

Cuideoidh na moltaí atá déanta ag Conradh na Gaeilge anseo leis na tograí seo a chur i bhfeidhm sa bhealach is éifeachtaí, agus cinnteoidh sé seo gur féidir le pobal na Gaeilge úsáid a bhaint as na cearta seo i mbealaí praiticiúla úsáideacha.

Ar a bharr seo, cuirfidh cur i bhfeidhm Acht Gaeilge in iúl go láidir go gcaithfí meas agus aitheantas a thabhairt do Ghaeilgeoirí. Socróidh Acht Gaeilge ról, seasamh agus stádas na Gaeilge sa tsochaí s’againn. Trí chuidiú le daoine an Ghaeilge a úsáid mar ghnáth-theanga laethúil, beidh sé soiléir gur linne uilig í an Ghaeilge, gan aon bhaint le cúlra, creideamh, inscne, claonadh polaitíochta nó náisiúntacht. Tá an Ghaeilge mar chuid den oidhreacht roinnte atá againn ar fad, agus ba chóir go mbeadh si ina hábhar ceiliúrtha agus luachmhar againn ar fad.

There have been calls for legislative protection for the Irish language for many years, at local, national and international levels. The points outlined above clearly show the need for the introduction of such legislation in order to guarantee the rights of the growing, vibrant and inclusive community of Irish speakers living here. The proposals in this consultation document are a strong basis upon which legislation can be drafted. The recommendations that Conradh na Gaeilge has made here will help these proposals to be implemented in the most effective way possible, and will ensure that the Irish language community are able to exercise their rights in practical and meaningful ways.

In addition to this, the implementation of Irish language legislation will illustrate clearly that the rights of the Irish language community need to be respected and recognised. The implementation of an Irish Language Act will remove any remaining questions surrounding the place of the Irish language in our society. Through enabling people to use Irish as part of their daily lives, it will become clear that the Irish language is something which belongs to all, regardless of background, faith, gender, political affiliation or nationality. The language is part of our shared heritage and is something to be enjoyed and treasured by all.