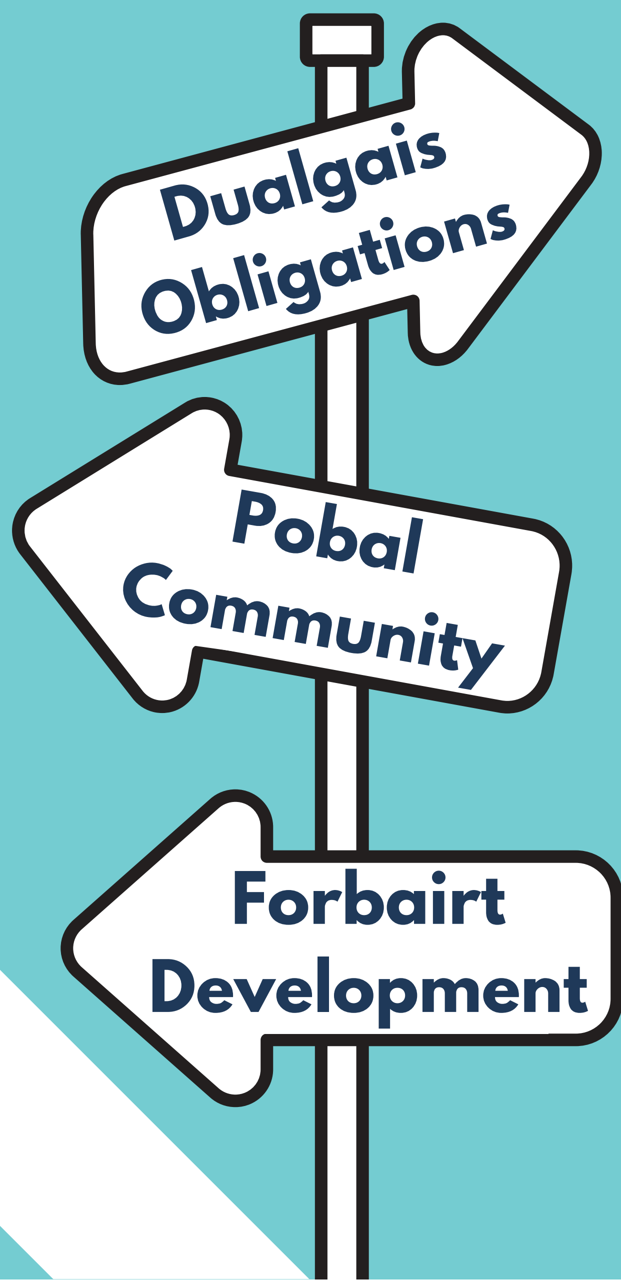
Comhairlí Áitiúla, Dualgais agus an Ghaeilge: Creatlach Comhlíonta

Local Councils, Obligations and the Irish Language: A Framework for Compliance

Conradh na Gaeilge, the Committee for the Administration of Justice and Ulster University

2019



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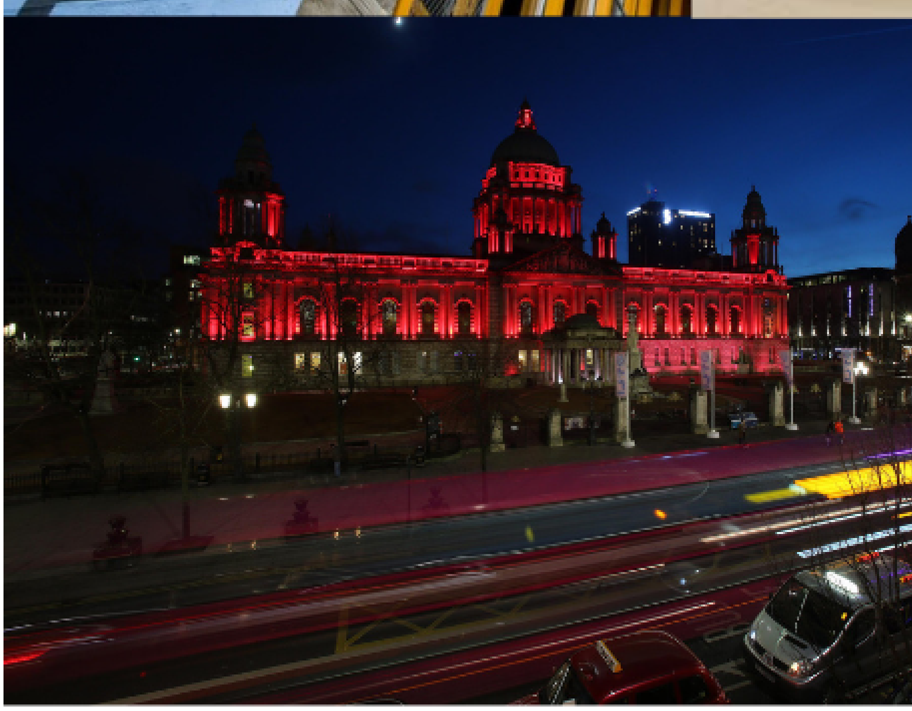

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GIORRÚCHÁIN
ABBREVIATIONS

CAJ: An Coiste um Riar an Chirt

CC: An Coimisiún Comhionannais

CCD: An Coimisiún um Chearta an Duine

CE: Comhairle na hEorpa

CETRM: An Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh

CMNC: An Creat-Choinbhinsiún maidir le Mionlaigh Náisiúnta a Chosaint

CnaG: Conradh na Gaeilge

COMEX: Coiste Saineolaithe Chomhairle na hEorpa

MTC: Measúnacht Tionchair Comhionannais

NA: Na Náisiúin Aontaithe

OU: Ollscoil Uladh

RCEF: An Roinn Cultúir, Ealaíon agus Fóillíochta (An Roinn Pobal, mar a thugtar anois uirthi)

RP: An Roinn Pobal

CAJ: Committee for the Administration of Justice

CoE: Council of Europe

COMEX: Council of Europe Committee of Experts

CnaG: Conradh na Gaeilge

DCAL: Department for Culture, Arts and Leisure (now Department of Communities)

DofC: Department of Communities

ECNI: Equality Commission

ECRML: European Convention for Regional and Minority Languages

EQIA: Equality Impact Assessment

FCNM: Framework Convention for the Protection of National Minorities

NIHRC: Human Rights Commission

UN: United Nations

UU: Ulster University

INTREOIR
INTRODUCTION

Sa tuarascáil seo, atá déanta ag an Choiste um Riar an Chirt (CAJ), Conradh na Gaeilge agus an Dr. Niall Comer, Ollscoil Uladh, i gcomhar lena chéile, pléitear cur i bhfeidhm gealltanais rialtas na Ríochta Aontaithe maidir leis an Ghaeilge ar leibhéal an rialtais áitiúil i dtuaisceart na hÉireann.

Faightear sa tuairisc seo creatlach atá forbartha ag an CAJ bunaithe ar choimitmintí agus dualgais idirnáisiúnta, mar aon le léamh údarásach orthu, a leagann amach na gníomhartha réasúnta a bhfuiltear ag súil leo de réir na sain-réimsí agus ról a bhaineann leis na comhairlí áitiúla. Faightear sa cháipéis seo fosta torthaí suirbhé atá curtha i gcrích ag Conradh na Gaeilge agus Ollscoil Uladh chun comhlíonadh na ndualgas sin a mheas sa rialtas áitiúil ó thuaidh.

Is eagras neamhrialtasach Gaeilge é Conradh na Gaeilge, a bunaíodh sa bhliain 1893, a bhfuil naisc láidre aige leis an phobal agus arb é an Ghaeilge a chosaint agus a chur chun cinn a phríomhaidhm. Eagras neamhrialtasach é CAJ, a bunaíodh sa bhliain 1981, a dhéanann comhlíonadh na gcaighdeán idirnáisiúnta a bhaineann le cearta an duine a chur chun cinn agus a mhonatóiriú. Sa tuarascáil seo, tá saineolas Chonradh na Gaeilge agus Ollscoil Uladh ar chúrsaí Gaeilge agus saineolas CAJ ar dhlíthe maidir le cearta an duine fite ina chéile chun comhlíonadh a ndualgais idirnáisiúnta i leith na Gaeilge ag rialtais áitiúla a mheasúnú.

Tá tábhacht ar leith le comhairlí áitiúla maidir le dualgais an stáit i leith phobal na Gaeilge a chomhlíonadh. Tá údarás ag comhairlí i dtaca le ceisteanna éagsúla amhail comharthaí sráide agus forbairt phobail. Tá ról acu i ngníomhaíochtaí cultúrtha agus oidhreachta, agus trína gcuid brandála féin agus trí na seirbhísí ina gceantar áitiúil is féidir leo an teanga a chur chun cinn go mór. Tá dualgas a bhaineann leis an dea-chaidreamh ar chomhairlí fosta. Áirítear leis sin a bheith ag dul i ngleic leis an chlaontacht agus comhthuiscint a chur chun cinn i réimsí éagsúla comhionannais.

This report, jointly produced by the Committee for the Administration of Justice (CAJ), Conradh na Gaeilge and Dr. Niall Comer, Ulster University, documents how commitments made by the United Kingdom government in relation to the Irish language have been implemented by local government in the north.

This report contains a framework developed by CAJ derived from such international obligations and their authoratative interpretation which setting out the actions that can be reasonably expected of local councils in light of their specific remits and roles. The report then contains the results of a survey conducted by Conradh na Gaeilge and Ulster University to measure compliance with the framework by local government in the north.

Conradh na Gaeilge, founded in 1893, is an Irish language non-governmental organisation with extensive links to the community and a core interest in the protection and the promotion of the Irish language. CAJ, founded in 1981, is a non-governmental organisation promoting and monitoring compliance with international human rights standards. This report utilises the Irish language expertise of Conradh na Gaeilge and Ulster University and the human rights law expertise of the CAJ to assess the compliance of local government with international obligations relating to the language.

Local councils have a particular responsibility in fulfilling the state's duties to the Irish language community. Councils have authority over matters such as street signage and community development, have a role in cultural and heritage activities, and through their own branding and services in local areas have significant potential to promote the language. The council's duties also include keeping good relations which, when interpreted correctly, should involve local authorities tackling prejudice and promoting understanding across a range of equality grounds.

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INTRODUCTION

In ainneoin gealltanais a bheith déanta bunaithe ar chonarthaí éagsúla agus samplaí den dea-chleachtas a bheith le fáil anseo is ansiúd, tá aird tarraingthe go minic ar neamhchomhlíonadh na ngealltanas déanta i gconarthaí ag coistí monatóireachta de chuid na Náisiún Aontaithe (NA) agus Chomhairle na hEorpa (CE) a bhfuil sé mar dhualgas orthu cur i bhfeidhm a oibleagáidí ag an stát a mhonatóiriú.

Is í an Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh an conradh is suntasaí ar leibhéal an rialtais áitiúil maidir le teangacha réigiúnacha agus mionlaigh. Dhaingnigh Rialtas na Ríochta Aontaithe an Chairt seo ar an 1 Iúil, 2001 agus tá ceangal ar údaráis phoiblí sa tuaisceart – ranna, forais ghaolmhara agus comhairlí ceantair san áireamh – feidhmiú dá réir. Rinne an Ríocht Aontaithe gealltanais ghinearálta i dtaca leis an Ghaeilge agus le hAlbainis Uladh faoi Chuid II den Chairt, agus ghlac sé chuige féin roinnt forálacha sonracha i dtaca leis an Ghaeilge faoi Chuid III den Chairt.

I mí Aibreáin 2015, bunaíodh 11 'shárchomhairle', mar a thugtar orthu, in áit na 26 chomhairle a bhí ann go dtí sin, agus leis sin tháinig athrú mór ar struchtúr an rialtais áitiúil. Tá gealltanas in Alt 7(1)b den Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh go gcinnteoidh páirtithe de chuid an stáit nach gcuirfidh na forais nua riaracháin constaicí ar bith roimh chur chun cinn teangacha réigiúnacha agus mionlaigh. Mar sin de, níor chóir go gcuirfeadh na struchtúir nua bac ar bith ar chur i bhfeidhm iomlán na ndualgas eile atá luaite sa Chairt.

Despite the range of treaty-based commitments and some examples of good practice, issues of non-compliance with treaty-based undertakings have regularly been identified by the United Nations (UN) and Council of Europe (CoE) oversight committees tasked with monitoring implementation of the state's obligations.

The ECRML is arguably the most significant treaty for local government in relation to regional and minority languages. The ECRML was ratified by the UK Government on 1 July 2001 and is binding on public authorities in the north – including departments, associated bodies and district councils. The UK subscribed to general commitments for Irish and Ulster Scots under Part II of the Charter, and to a number of specific provisions for Irish under Part III.

In April 2015, 11 so-called 'super-councils' replaced 26 predecessor councils, marking a significant change in the structure of local government. Article 7(1)b of the European Charter for Regional and Minority Languages (ECRML) contains a commitment that state parties ensure that new administrative divisions do not constitute an obstacle to the promotion of regional minority languages. Therefore, the new structures should not in any way create an obstacle to the full implementation of other duties under the ECRML.

INTREOIR
INTRODUCTION

In ainneoin na ndúshlán atá ann mar gheall ar neamhchomhlíonadh na ndualgas, léiríonn figiúirí daonáirimh agus figiúirí maidir le líon na ndaltaí cláraithe i scoileanna go bhfuil fás suntasach tagtha ar phobal na Gaeilge le blianta beaga anuas. Tá an forás seo tiomáinte i bpáirt ag fás leanúnach na ngaelscoileanna (i dtréimhse a bhfuil líon na ndaltaí i scoileanna trí chéile imithe i laghad). Tá pobail Ghaeilge le fáil i ngach ceann de na ceantair chomhairle nua; tá na sonraí le fáil sna Próifílí Teanga atá déanta ag Conradh na Gaeilge (Deireadh Fómhair, 2018). Is léir ó thuarascálacha atá déanta ag forais chonartha nach bhfuil na dualgais maidir le forbairt na Gaeilge á gcur chun cinn agus a chosaint á gcomhlíonadh de réir na n-oibleagáidí idirnáisiúnta.

Táthar ann a deir go bhfuil úsáid agus cur chun cinn na Gaeilge leatromach ann féin agus go gcuireann sé isteach ar chearta daoine eile. Ach tá sé ráite go soiléir ag eagrais idirnáisiúnta nach fíor é sin. Sa tuarascáil seo, féachfar le scóip na n-oibleagáidí idirnáisiúnta maidir leis an Ghaeilge agus comhairlí áitiúla a shoiléiriú agus le measúnú a dhéanamh ar chuid de na constaicí a bhíonn le sárú agus an Ghaeilge á cur chun cinn, ceisteanna a bhaineann le cearta daoine eile san áireamh.

Thar ceann Chonradh na Gaeilge agus an Coiste um Riaradh an Chirt, ba mhaith linn buíochas a ghabháil le hOllscoil Uladh agus le Cinnteacht as ucht a gcuid oibre agus comhpháirtíochta, agus le pobal na Gaeilge a roinn eolas linn go fonnmhar leis an tuairisc seo a chur i gcrích.

In spite of challenges created by non-compliance, the census and school enrolment figures show that the Irish language community has grown substantially in recent years. This has, in part, been driven by the continuous growth of Irish medium schools (at a time when enrolment figures for schools in general are falling). Irish speaking communities are found in each of the new council areas, a breakdown of which can be found in the Language Profiles completed by Conradh na Gaeilge and Ulster University (October 2018). However, it is evident from treaty body reports that the duties to enhance and protect the development of the Irish language are not being fulfilled in compliance with international obligations.

Despite international bodies making clear statements to the contrary, there continue to be charges that the use and promotion of the Irish language has of itself a discriminatory impact, or otherwise interferes with the rights of others. This report will seek to clarify the scope of international obligations on the Irish language insofar as they relate to local councils, and to assess some of the obstacles and barriers faced when promoting Irish, including issues around the rights of others.

Conradh na Gaeilge and the Committee on the Administration of Justice would like to thank Ulster University and Cinnteacht for their work and collaboration on this document and lastly, the Irish speaking community, who generously shared information with us that allowed us to compile this report.

“Sna Stáit sin ina … bhfuil mionlaigh teanga, ní shéanfar ar dhaoine de na mionlaigh sin, i gcomhphobal le baill eile den ghrúpa lena mbaineann siad, an ceart … chun a dteanga féin a úsáid.”
Airteagal 27, (NA) An Cúnant Idirnáisiúnta um Chearta Sibhialta agus Polaitiúla, 1966

“In those States in which... linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group… to use their own language.”
Article 27, (UN) International Covenant on Civil and Political Rights (ICCPR), 1966

"Glacann na Páirtithe leis go n-aithníonn siad an ceart atá ag gach duine de mhionlach náisiúnta a s(h)loinne agus a c(h)éadainmneacha i dteanga an mhionlaigh a úsáid agus go n-aithníonn siad an ceart ar na hainmneacha sin a bheith aitheanta go hoifigiúil, de réir na modúlachtaí a bhforáiltear dóibh ina gcóras dlí féin.” Airteagal 11(1), (Comhairle na hEorpa) An Creat-Choinbhinsiún um Mionlaigh Náisiúnta, 1995"

"“The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.” Article 11(1), (Council of Europe) Framework Convention for National Minorities, 1995

Tá dualgais maidir le cosaint na Gaeilge cumhdaithe i roinnt conarthaí éagsúla atá déanta ó na 1990idí ar aghaidh. Tá siad seo a leanas ina measc:
- An Chairt Eorpach um Theangacha Réigiúnacha nó Mionlaigh, 2001
- An Creat-Choinbhinsiún um Mionlaigh Náisiúnta a Chosaint
- Comhaontú Aoine an Chéasta, 1998
- Comhaontú Chill Rìmhinn, 2006

Tá roinnt forálacha i gComhaontú Aoine an Chéasta, 1998 faoin Ghaeilge. Dearbhaítear an méid seo a leanas ann:
“aithníonn na rannpháirtithe uile tábhacht na hurraime, na tuisceana agus na caoinfhulaingthe i ndáil le héagsúlacht teanga, ar a n-áirítear i dTuaisceart Éireann, an Ghaeilge, Albainis Uladh agus teangacha na bpobal eitneach éagsúil, ar cuid de shaibhreas cultúrtha oileán na hÉireann iad uile.”

Obligations in relation to the protection of the Irish language have been enshrined into a number of treaties since the 1990s. These include:
- The European Convention for Regional and Minority Languages, 2001
- The Framework Convention for the Protection of National Minorities
- The Good Friday Agreement, 1998
- St. Andrew’s Agreement, 2006

The Good Friday Agreement 1998 contains a number of provisions for the Irish language. The Agreement affirms that all parties to it
“recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland.”

DUALGAIS IDIRNÁISIÚNTA AGUS AN GHAEILGE
INTERNATIONAL OBLIGATIONS AND LANGUAGE

Tá naoi ngealltanas atá déanta ag rialtais na Ríochta Aontaithe maidir leis an Ghaeilge liostaithe i bparagraf 3 agus 4 den chaibidil i gComhaontú Aoine an Chéasta faoi Chearta, Coimircí agus Comhionannas Deiseanna. Is iad seo a leanas na cinn is mó a bhaineann leis an rialtas áitiúil:

- gníomh diongbháilte chun an teanga a chur chun cinn;
- úsáid na teanga a éascú agus a spreagadh sa chaint agus i scríbhneoireacht sa saol príobháideach agus sa saol poiblí mar a mbeidh éileamh cuí ann;
- iarracht chun deireadh a chur, más féidir é, le srianta a chuirfeadh nó a d'oibreodh in aghaidh chothú nó fhorbairt na teanga; agus
- foráil maidir le hidirchaidreamh le pobal na Gaeilge, agus a gcuid tuairimí a léiriú d'údaráis phoiblí agus gearáin a imscrúdú.

Paragraph 3 and 4 of the section on Rights, Safeguards and Equality of Opportunity in the Good Friday Agreement enumerates nine commitments made by the UK government in relation to the Irish language, the most relevant to local government being to:

- take resolute action to promote the language;
- facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand;
- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language; and
- make provision for liaising with the Irish language community, representing their views to public authorities and investigating complaints.

Mar gheall ar an Chomhaontú, cuireadh dualgas reachtúil ar an Roinn Oideachais fosta an Ghaeilge a chur chun cinn agus a éascú (Airteagal 89 den Ord Oideachais (TÉ), 1998) agus rinne rialtas na Ríochta Aontaithe gealltanas chomh maith go nglacfadh sé céimeanna chun na bearta sin a chothabháil faoi Thionól nua Thuaisceart Éireann “ar shlí a chuirfidh san áireamh mianta agus íogaireachtaí an phobail”. Go bunúsach, seo gealltanas a tugadh ar aghaidh tríd an Chairt Eorpach a dhaingniú.

The Agreement also led to a statutory duty being placed on the Department of Education to encourage and facilitate Irish medium education (Article 89 of the Education (NI) Order 1998) and the UK government also committed to taking steps to sustain such measures under the new Northern Ireland Assembly “in a way which takes account of the desires and sensitivities of the community,” a commitment essentially taken forward by ratifying the European Charter.

Mar gheall ar Chomhaontú Aoine an Chéasta 1998, bunaíodh roinnt foras feidhmithe trasteorann, foras teanga Thuaidh-Theas ina measc. Bunaíodh Foras na Gaeilge i 1999 agus feidhmeanna aige an Ghaeilge a chur chun cinn. Áirítear leis na feidhmeanna sin a bheith ag feidhmiú mar fhoras foirmiúil comhairleach maidir le cúrsaí teanga do gach údarás poiblí, an rialtas áitiúil san áireamh, agus úsáid na Gaeilge sa saol poiblí a éascú agus a chur chun cinn de réir CETRM.

The Good Friday Agreement 1998 led to the establishment of a series of cross-border implementation bodies, among which was a specific North-South language body. Foras na Gaeilge was established in 1999, with functions to promote the Irish language. This included the function of being a formal advisory body on the language to all public authorities, including local government, as well as facilitating and encouraging the use of Irish in public life in accordance with the ECRML.

Faoi Iarscríbhinn B de Chomhaontú idirnáisiúnta Chill Rìmhinn 2006, rinne Rialtas na Ríochta Aontaithe gealltanas suntasach eile chun "Acht Gaeilge a thabhairt isteach bunaithe ar an taithí sa Bhreatain Bheag agus in Éirinn". Cé go bhfuil an gealltanas seo iontach soiléir, níor comhlíonadh riamh an chéad gealltanas, chun reachtaíocht don Ghaeilge a thabhairt isteach, cé go raibh trí chomhairliúchán phoiblí ann faoi reachtaíocht don Ghaeilge ó bhí 2006 ann agus gur léirigh gach uile cheann acu go raibh tacaíocht láidir i measc an phobail do reachtaíocht chosanta don Ghaeilge. Cuireadh beagnach 13,000 freagairt isteach le linn an chomhairliúcháin dheireanaigh in 2015 agus bhí 94.7% de na freagróirí i bhfách le cosaint don Ghaeilge sa dlí. Rinneadh an dara geallantas lenar cuireadh dualgas reachtúil ar Fheidhmeannas Thuaisceart Éireann "straitéis a ghlacadh ina leagtar amach an dóigh a bhfuil sé beartaithe aige forbairt na Gaeilge a fheabhsú agus a chosaint". Ar an 10 Márta, 2016, in ainneoin an ghealltanais sin agus na ngealltanas eile a bhí déanta i gClár 2011 don Rialtas 2011 ag an Fheidhmeannas, vótáil an Feidhmeannas ar son diúltú don mholadh a bhí curtha faoina bhráid ag an Aire sa Roinn Cultúir, Ealaíon agus Fóillíochta straitéis don Ghaeilge a ghlacadh. Ar an 3 Márta, 2017, in athbhreithniú breithiúnach a ghlac Conradh na Gaeilge in éadan an Fheidhmeannais, rialaigh an Ard-Chúirt go raibh teipthe ar an Fheidhmeannas a dhualgas reachtúil a chomhlíonadh maidir le straitéis don Ghaeilge a chur i bhfeidhm.

De réir an dlí idirnáisiúnta, tá ceangal dlí ar an rialtas áitiúil gealltanais atá bunaithe ar chonarthaí a chomhlíonadh. Cé nach féidir caingean dlí a thabhairt os comhair na gcúirteanna intíre, bheadh sé iomlán míréasúnach diúltú na polasaithe cuí a chur i bhfeidhm díreach ar an bhunús nach dócha go dtabharfaí comhairle os comhair cúirte de dheasca na polasaithe cuí gan a bheith curtha i bhfeidhm. Tá míniú tugtha ag Coimisiún Thuaisceart Éireann um Chearta an Duine ar na cineálacha oibleagáidí atá i gceist. Tá an míniú le fáil ar a shuíomh gréasáin a deir:

Under Annex B of the international St Andrews Agreement 2006, a further significant commitment was made by the UK Government that it would "introduce an Irish Language Act reflecting on the experience of Wales and Ireland". Despite its unequivocal nature, the first commitment to legislate for Irish has never been met althought there have been three public consultations on Irish language legislation since 2006, all of which demonstrated clear public support in favour of protective legislation for Irish. There were almost 13,000 responses to the last consultation in 2015, with 94.7% in favour of legal protection for the Irish language. A second commitment was made placing a statutory duty on the Executive to which had been made was taken forward through the introduction of a statutory duty on the NI Executive to "adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language." On 10 March 2016, despite that commitment and additional commitments made in the Executive's Programme for Government 2011-15, the Executive voted to reject the proposal brought forward by the Minister for the Department of Culture, Arts and Leisure to adopt an Irish language strategy. On 3 March 2017, in a Judicial Review taken by Conradh na Gaeilge against the Executive, the High Court found that the Executive had "failed in its legislative duty" to implement an Irish language strategy.

These treaty-based commitments are legally binding on local government as a matter of international law. Although acting incompatibly with them is not directly actionable in the domestic courts, it would be entirely unreasonable to decline to implement policy simply because the Council was unlikely to be able to be taken to court as a result. The Northern Ireland Human Rights Commission sets out the nature of such obligations on its website as follows:

"De réir an dlí idirnáisiúnta, tá dualgas ar an Ríocht Aontaithe meas a léiriú ar na cearta daonna uile sna conarthaí atá sínithe aige agus iad go léir a chosaint. Tá an dualgas seo le comhlíonadh ag gach comhchuid ábhartha den rialtas agus den pharlaimint. I gcás Thuaisceart Éireann, ní le Westminster amháin a bhaineann sé [sic.] ach leis an Fheidhmeannas agus leis an Tionól agus leis an rialtas áitiúil fosta. Maidir leis na breithniúna, bítear ag súil go nglacann siadsan oibleagáidí idirnáisiúnta i dtaca le cearta an duine san áireamh."

Mar atá soiléirithe sa tagairt seo thuas ón Choimisiún um Chearta an Duine, ní amháin go bhfuil ceangal dlí sa dlí idirnáisiúnta maidir le gealltanais bunaithe ar chonarthaí, ach tá roinnt dóigheanna ann ar féidir gealltanais bunaithe ar chonarthaí a agairt sna cúirteanna intíre fosta, go mór mhór mar ionstraimí léirmhínithe don reachtaíocht intíre.

"As a matter of international law, the UK is obliged to respect and protect all of the human rights in the treaties that it has committed to. That duty extends across all the relevant parts of government and parliament. For Northern Ireland it embraces not only to [sic.] Westminster but also the Executive and the Assembly, as well as local government. The judiciary, for their part, are expected to take the international human rights obligations into account."

As this reference from the Human Rights Commission clarifies, in addition to being binding in international law, there are also a number of ways in which treaty-based commitments can be invoked in the domestic courts, largely as interpretative instruments for domestic legislation.

CREATLACH COMHLÍONTA
A FRAMEWORK FOR IMPLEMENTATION

Chun comhlíonadh a mheas d'fhorbair údair an taighde seo creat freagrachta bunaithe ar dhualgais idirnáisiúnta a leagann amach na gníomhartha dlisteanacha lena mbítear ag dúil ó na comhairlí áitiúla maidir lena gcuid sainréimsí agus ról.

Bunaíodh na bearta seo ar an Chairt Eorpach do Theangacha Mionlaigh agus Réigiúnacha, ar an Chreat Choinbhinsiúin, ar an Choinbhinsiún Eorpach um Chearta an Duine, ar Chomhaontú Aoine an Chéasta, ar Chomhaontú Chill Rìmhinn agus caighdeáin na Náisiún Aontaithe, go háirithe an Cúnant Idirnáisiúnta ar Chearta Eacnamaíocha, Sóisialta agus Cultúrtha. Léirmhínítear na beartais i gcomhar leis an dlí-eolaíocht atá á forbairt i dtaobh na gcaighdeán seo, agus i gcomhar leis an pholasaí straitéiseach ó thuaidh, lena n-áirítear treoir-cháipéisí eisithe ag an Roinn Cultúir, Ealaíon agus Fóillíochta i dtaobh chur i bhfeidhm na CETMR.

Mar shampla, cuireann Alt 7(1)c den chairt ceangal chun go mbeidh polasaithe, reachtaíocht agus cleachtas i dtaobh spriocanna agus prionsabail, san áireamh "an gá don ghníomh dhiongbháilte le teangacha réigiúnda nó mionlaigh a chur chun cinn le go gcosnófar iad."

Trí measúnú a dhéanamh ar chomhlíonadh, tá liosta de thrí ghné atá riachtanach do 'ghníomh dhiongbháilte' déanta ag Coiste na Saineolaithe (COMEX), an Foras Conartha. Is iad:

- creat dlí a chruthú le teangacha mionlaigh a chur chun cinn,
- forais a bhunú a bheidh freagrach as na teangacha sin a chur chun cinn, agus
- acmhainní airgeadais a sholáthar.

Tá na hoibleagáidí idirnáisiúnta uile a bhaineann le cosaint na Gaeilge, tarraingthe le chéile againn agus sa chuid seo thíos leagtar amach na dóigheanna éagsúla a mbíonn agus nach mbíonn comhairlí áitiúla ag comhlíonadh na ndualgas sin faoin Chreatlach.
Tá an creat seo bunaithe ar chúig bheart uileghabhálacha, mar atá leagtha amach thíos:

In order to assess compliance, the authors developed a framework derived from international obligations setting out the actions that can be reasonably expected of local councils in light of their specific remits and roles.

These measures have been derived from the ECRML, Framework Convention, European Convention on Human Rights, Good Friday and St Andrews Agreements and UN standards, specifically the International Covenant on Economic, Social and Cultural Rights. The measures have been interpreted in accordance with both the evolving jurisprudence on such standards, and the framework of strategic policy in the north, including guidance documents issued by the Department of Culture, Arts and Leisure in relation to implementation of the ECRML.

For example, Article 7(1)c of the Charter commits to basing policies, legislation and practice on objectives and principles including "the need for resolute action to promote regional or minority languages in order to safeguard them".

The treaty body - COMEX (Committee of Experts) through is evaluations of state compliance has listed three aspects that, among other things, are necessary in order to constitute 'resolute action'. These are:

- the creation of a legal framework for the promotion of minority languages,
- the establishment of bodies which are responsible for the promotion of these languages, and;
- the provision of financial resources.

After drawing together all of the international obligations which exist in relation to the protection of the Irish language, the following section outlines ways in which local councils are or are not currently meeting their obligations.
This framework is centred on five overarching measures, as follows:

CREATLACH COMHLÍONTA
A FRAMEWORK FOR IMPLEMENTATION

1: Polasaí Gaeilge	1: Irish language Policy
2: Áiseanna a chur ar fáil chun an Gaeilge a chur chun cinn agus a chaomhnú	2: Resourcing the promotion and safeguarding of the Irish language
3. Dul i ngleic le claontacht agus caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn	3. Tackling prejudice and promoting tolerance and understanding of the Irish language
4. Seirbhísí i nGaeilge a sholáthar	4. Service provision in the Irish language
5: Bac a chur le leithcheal, céimeanna ar gcúl agus constaicí	5: Preventing discrimination, retrogression and barriers

BEARTAS 1: POLASAÍ GAEILGE: GLACFAIDH COMHAIRLÍ LE POLASAÍ A ÉASCAÍONN GNÍOMH DIONGBHÁILTE CHUN AN GHAEILGE A CHUR CHUN CINN

a) Polasaithe a fhorbairt:
i) Comhairle a ghlacadh ón fhoras chomhairleach oifigiúil, Foras na Gaeilge;
ii) Dul i gcomhairle le cainteoirí Gaeilge agus a riachtanais agus a mianta siúd a ghlacadh san áireamh.
b) Ábhar na bpolasaithe:
i) Bearta a chuimsíonn gníomh diongbháilte leis an Ghaeilge a chosaint;
ii) Bearta sainiúla maidir le comharthaíocht agus brandáil ábhartha dhátheangach a sholáthar, lena n-áirítear bunleaganacha Gaeilge de logainmneacha a chur chun cinn; agus
iii) Úsáid na Gaeilge, sa chaint agus i scríbhneoireacht, a éascú agus/nó a chur chun cinn sa tsaol phoiblí agus sa tsaol phríobháideach, lena n-áirítear úsáid na Gaeilge a cheadú agus/nó a chur chun cinn i seomra na comhairle.

MEASURE 1: IRISH LANGUAGE POLICY: COUNCILS ADOPT POLICY WHICH PROVIDES FOR 'RESOLUTE ACTION' TO PROMOTE THE IRISH LANGUAGE

a) Policy development:
i) Take advice from the official advisory body, Foras na Gaeilge;
ii) Consult with, and take into consideration needs and wishes expressed by, Irish speakers.
b) Policy content:
i) Measures that involve resolute action to safeguard the Irish language;
ii) Specific measures on the provision of bilingual signage and related branding, including promotion of the original Irish language forms of place-names; and
iii) The facilitation and/or encouragement of the use of Irish, in speech and writing, in public and private life, including allowing and or encouraging use of Irish in the council chamber.

BEARTAS 2: ÁISEANNA A CHUR AR FÁIL CHUN AN GHAEILGE A CHUR CHUN CINN AGUS A CHAOMHNÚ

a) Acmhainní inmheánacha: Soláthar le leibhéal réasúnach acmhainní inmheánacha a chur ar fáil sa chomhairle féin chun dualgais i leith na Gaeilge a chomhlíonadh; d'fhéadfaí é seo a dhéanamh le maoiniú seachtrach, mar shampla trí oifigeach Gaeilge a chur ar fáil; agus
b) Acmhainní seachtracha: Soláthar faoi choinne acmhainní seachtracha a bheith curtha ar fáil ag an chomhairle chun cuidiú le gníomhaíochtaí ar son na Gaeilge a dhéanamh.

MEASURE 2: RESOURCING THE PROMOTION AND SAFEGUARDING OF THE IRISH LANGUAGE

a) Internal resourcing: Provision for reasonable internal resourcing within the council to discharge duties towards the Irish language, potentially through external funding such as the provision of an Irish language officer; and
b) External resourcing: Provision for external resources being provided by the council to contribute towards the delivery of promotional activities for the Irish language.

BEARTAS 3: DUL I NGLEIC LE CLAONTACHT AGUS CAOINFHULAINGT AGUS FEASACHT FAOIN GHAEILGE A CHUR CHUN CINN

a) Gníomh dearfach: Tionscnaimh chun dul i ngleic leis an chlaontacht agus chun an chomhthuiscint a chur chun cinn;
b) Polasaithe níos leithne: A chinntiú nach mbíonn freagairtí i leith na teanga ag teacht salach leis an sprioc seo.

MEASURE 3: TACKLING PREJUDICE AND PROMOTING TOLERANCE AND UNDERSTANDING OF THE IRISH LANGUAGE

a) Positive action: Initiatives to tackle prejudice and promote understanding;
b) Broader policy: Ensure responses towards the language do not conflict with this goal.

BEARTAS 4: SEIRBHÍSÍ I NGAEILGE A SHOLÁTHAR

a) Seirbhísí/gníomhaíochtaí áirithe a sholáthar trí mheán na Gaeilge, go díreach nó mar aistriúchán:
i) Comhfhreagras/iarratais ó bhéal;
ii) Úsáid na Gaeilge i ndíospóireachtaí i seomra na comhairle (gan an Béarla a fhágáil as);
iii) Úsáid na Gaeilge i sloinnte;
iv) Deiseanna leis an Ghaeilge a fhoghlaim a éascú;
v) Aon soláthar níos leithne seirbhísí i nGaeilge.
b) An Ghaeilge a fhí isteach i ngníomhaíochtaí cultúrtha agus eile de chuid na comhairle:
i) Gníomhaíochtaí cultúrtha a bhaineann leis an Ghaeilge go sonrach a chur chun cinn;
ii) Páirt a thabhairt don Ghaeilge agus do chainteoirí Gaeilge i ngníomhaíochtaí cultúrtha níos leithne;
iii) Úsáid na Gaeilge a chur chun cinn i ngníomhaíochtaí eacnamaíocha agus sóisialta agus i ngníomhaíochtaí níos leithne de chuid na comhairle;
iv) Caidrimh agus naisc chultúrtha le bardais eile ina bhfuil cainteoirí Gaeilge, Albainise Uladh agus Gaeilge na hAlban a éascú.

MEASURE 4: SERVICE PROVISION IN THE IRISH LANGUAGE

a) Provision of certain services/activities through the medium of Irish, directly or through translation:
i) Correspondence/oral applications;
ii) Use of Irish language in debates in council chamber (without excluding English);
iii) Use of Irish in family names;
iv) Facilitation of opportunities to learn Irish;
v) Any broader service provision in Irish.
b) Incorporation of Irish into the cultural and other activities of the council:
i) Encourage Irish-specific cultural activities;
ii) Involvement of Irish and Irish speakers in broader cultural activities;
iii) Encourage use of Irish in economic and social and broader council activities;
iv) Facilitation of cultural relationships and links with other municipalities with speakers of Irish, Ulster-Scots, Gaelic and other languages.

BEARTAS 5: BAC A CHUR LE LEITHCHEAL, CÉIMEANNA AR GCÚL AGUS CONSTAICÍ

a) An leithcheal a chosc: A chinntiú nach mbíonn idirdhealú éagórach ann mar gheall ar pholasaithe agus ar chinntí comhairle a imríonn tionchar ar an Ghaeilge.
b) Cúlchéimniú a chosc: A chinntiú nach mbíonn an soláthar don Ghaeilge sa chomhairle níos measa ná mar a bhí ag an chomhairle a bhí ann roimhe seo.
c) Constaicí a shárú: Na comhairlí cinnte a dhéanamh de go sáraítear constaicí míchuí ar chur chun cinn na teanga.

MEASURE 5: PREVENTING DISCRIMINATION, RETROGRESSION AND BARRIERS

a) Preventing discrimination: Ensure that council policies and decisions impacting the Irish language do not constitute an unjustified distinction.
b) Preventing retrogression: Ensure that provision for Irish in the council is not less favourable than one of the predecessor councils.
c) Overcoming barriers: Councils ensure that undue obstacles to promoting the language are overcome.

COMHARTHAÍOCHT SRÁIDE
STREET SIGNAGE

Faoi théarmaí chuid 11 d'Ordú Rialtais Áitiúil (Forálacha Ilghnéitheacha) (TÉ) 1995 caithfidh gach rialtas áitiúil iarratais ar chomharthaíocht sráide dhátheangach a mheas. Faoi seo caithfidh comhairlí aird a bheith acu ar thuairimí ar bith atá ag cónaitheoirí aon sráide ar leith ar chomhartha dátheangach oifigiúil. Chinn gach comhairle ar a bpolasaí féin a chur i bhfeidhm chun an dualgas seo a chur i bhfeidhm, polasaithe atá an-éagsúil óna chéile.

Éilíonn an CETRM go gcuirfí an Ghaeilge chun cinn trí níos mó feiceálachta in áiteanna poiblí. Tá léirithe ag taighde go gcuidíonn feiceálacht mhéadaithe le teanga mhionlaigh a normalú, rud a chuireann le caoinfhulaingt. Tá bunús Gaeilge le timpeall 90% de na logainmneacha agus bailte fearainn i gceantair na gcomhairlí (townlands.ie) Cuireann úsáid comharthaíochta dátheangaí bealach simplí agus nádúrtha ar fáil le rochtain ar an Ghaeilge a éascú ar bhealach a bhaineann le cultúr agus stair chomhroinnte.

Tá polasaithe na 11 comhairle leagtha amach sa tábla thíos. Cé go bhfuil roinnt de na polasaithe níos fearr ná a chéile maidir lena ndílseacht leis an chreatlach leagtha amach sa tuairisc seo, tá gach polasaí neamartach ar bhealach éigin maidir leis na riachtanais atá leagtha amach sa chreat reatha. Tá achoimre thíos ar phríomhfhorálacha pholasaithe comharthaíochta dátheangaí na gcomhairlí go léir:

Under the terms of section 11 of the Local Government (Miscelleaneous Provisions) (NI) Order 1995, all local councils are required to consider requests for bilingual street signage. According to this, councils must have regard to any views on an official bilingual sign expressed by residents of any given street. Councils have implemented this duty by each adopting their own policy, which very greatly from one to another.

The ECRML calls for the promotion of the Irish language through increased visibility in public places. Research has shown that increased visibility leads to the normalisation of a minority language which leads to great tolerance. Approximately 90% of our townland and placenames have a Gaelic derivation (townlands.ie). The use of bilingual signage provides a simple, and natural opportunity to facilliate access to the Irish language in a way which links with shared history and culture.

The policies of the 11 councils are set out in the table below. Although some policies are much better than others in compliance with the framework in this report, all of the policies fall short in some way of the requirements set out in the present framework. The main provisions of each of the councils' street signange policies are outlined below:

COMHARTHAÍOCHT SRÁIDE
STREET SIGNAGE

Comhairle	Comhairle Ceantair Aontroma agus Bhaile Nua na Mainistreach	Council	Antrim and Newtonabbey
Polasaí	Gan polasaí reatha ar bith i bhfeidhm. Tarraingeoidh an cinneadh cosc a chur ar chomharthaíocht dhátheangach siar i ndiaidh go raibh athbhreithniú breithiúnasach fógartha	Policy	No policy currently in place. Policy decision to ban all bilingual street signage withdrawn following judicial review proceedings in 2018.
Scóip	N/Bh	Scope	N/A
Comhairle	Comhairle Ceantair an Dúin Thuaidh agus na hArda	Council	Ards and North Down
Polasaí	Polasaí Oidhreachta um Ainmniú agus Uimhriú Sráideanna	Policy	Legacy Street Naming and Numbering Policy
Scóip	Níl foráil ar bith ann do chomharthaíocht dhátheangach	Scope	Makes no provision for bilingual signage
Comhairle	Comhairle Ceantair Ard Mhacha, Dhroichead na Banna agus Craigavon	Council	Armagh, Banbridge and Craigavon
Polasaí	Polasaí um Ainmniú agus Uimhriú Sráideanna (Feabhra 2015)	Policy	Street Naming and Numbering Policy (Feb 2015)
Scóip	Níl foráil ar bith ann do chomharthaíocht dhátheangach	Scope	Makes no provision for bilingual signage
Comhairle	Comhairle Cathrach Bhéal Feirste	Council	Belfast City
Polasaí	Ghlac an tseanchomhairle le polasaí i 1998, athbhreithníodh é roinnt uaireanta	Policy	Policy adopted by predecessor council in 1998, reviewed on a number of occasions.
Scóip	Tá an focal scoir ag an Chomhairle i gcúinsí áirithe maidir le gach iarratas, ach: -teastaíonn achainí ar dtús ó thrian de na daoine atá ar an chlár toghthóirí i sráid; -Reáchtálfar suirbhé poist ina dhiaidh sin a éilíonn móramh de dhá dtrian, glacfar le foirmeacha ar bith nach gcuirtear ar ais mar dhiúltú	Scope	Council retains overriding discretion on particular circumstances of each application, but - Initial petition needed with one-third of persons on electoral register in street; - Postal survey will then be conducted requiring a two thirds majority, any forms not returned will be categorised as a 'no'
Comhairle	Comhairle Ceantair Chósta an Chlocháin agus na nGlinnte	Council	Causeway Coast and Glens
Polasaí	Polasaí agus Nósanna Imeachta um Ainmniú agus Uimhriú Sráideanna agus Réadmhaoin	Policy	Street Naming and Property Numbering Policy and Procedures (Oct 2015)
Scóip	Achainí ó thrian de chónaitheoirí na sráide mar thús; Caithfidh dhá dtrian ar a laghad a bheith ar a shon agus glacfar le neamhfhreagróirí mar dhiúltú Is féidir na comharthaí a chrochadh sa chuid sin den tsráid ina gcónaíonn an dá dtrian Má theipeann ar iarratas tá toirmeasc 5 bliana ar iarratas nua	Scope	Applications initiated by a petition of one-third of residents; Requirement for at least two-thirds of residents to say yes, with no responses potentially counted as 'no' for application to be considered; Signs might only be erected in parts of same street where two-thirds majority; Unsuccessful applications followed by a five year ban on submitting a new application

COMHARTHAÍOCHT SRÁIDE
STREET SIGNAGE

Comhairle	Comhairle Chathair Dhoire agus Cheantar an tSrátha Báin	Council	Derry and Strabane
Polasaí	Nósanna Imeachta um Ainmniú agus Uimhriú Sráideanna agus Réadmhaoin (Aibreán 2015)	Policy	Street Naming and Property Numbering Procedures (April 2015)
Scóip	Is féidir leis an Chomhairle nó le cónaitheoir tús a chur le hiarratas Suirbhé le cur ar na cónaitheoirí agus "tábhacht nach beag" le bheith leagtha ar mhóramh dhá dtrian de chónaitheoirí bealach amháin nó bealach eile; Mar a bhfaightear agóid i gcoinne comharthaíochta dátheangaí measfaidh an Chomhairle conas dea-chaidreamh a chur chun cinn sa cheantar; is féidir ainmneacha bailte fearainn a chur ar chomharthaí sráide fosta.	Scope	Can be Council or resident initiated; Residents to be surveyed and "considerable weight" will be attached to a two-thirds majority of respondents either way; Where objections to bilingual signage received Council will consider how to improve good relations in the area; Bilingual townland names can also be included on street signage
Comhairle	Comhairle Ceantair Fhear Manach agus na hÓmaí	Council	Fermanagh and Omagh
Polasaí	Polasaí um Ainmniú agus Uimhriú Sráideanna/Bóithre (Meitheamh 2015)	Policy	Street/Road Naming and Numbering Policy (June 2015)
Scóip	Cuirfidh an Chomhairle tús le próiseas má fhaigheann sí iarratas nár iarradh ó thrian de na cónaitheoirí; Lorgóidh sí tuairimí na gcónaitheoirí ansin agus déanfaidh sí cinneadh bunaithe ar 'thuairim an mhóraimh a fuarthas' de chuid dhá dtrian de chónaitheoirí na sráide	Scope	Council will initiate process if it receives unsolicited application from one-third of residents; Will then seek views of residents and make its decision on the basis of a 'received majority viewpoint' of two-thirds of occupiers in the street
Comhairle	Comhairle Ceantair Lios na gCearrbhach agus an Chaisleáin Riabhaigh	Council	Lisburn & Castlereagh
Polasaí	Polasaí um Ainmniú agus Uimhriú Sráideanna (gan dáta ach ghlac an Chomhairle nua leis)	Policy	Street Name and Numbering Policy (undated but adopted by new Council)
Scóip	Caithfidh an t-ainm a bheith aistrithe díreach ón ainm Béarla; Cinnteofar an t-aistriúchán le seirbhís teanga ollscoile agus glanfaidh na hiarrthóirí na costais; Trian de chónaitheoirí na sráide de dhíth le tús a chur le hiarratas; Déanfar suirbhé leis na teaghlaigh a chónaíonn ann agus cuirfear na torthaí faoi bhráid coiste comhairle mar aon le hagóidí nó tuairimí ar bith a fhaightear; Ní chuirfear na torthaí síos le haghaidh measúnaithe lánroghnaigh ach amháin má tá dhá dtrian de na daoine i bhfabhar athraithe, agus ina dhiaidh sin le haghaidh daingniúcháin na Comhairle.	Scope	Name must be direct translation of name in English; Direct translation will be checked with university language service and applicants to bear cost; Application for bilingual street name needs initial petition of one third of residents; Survey will be done of resident households, with results presented to a council committee including any objections or observations received; Only if results show two-thirds of persons in favour will they be tabled for discretionary consideration by a council committee, and then for ratification by the Council

COMHARTHAÍOCHT SRÁIDE
STREET SIGNAGE

Comhairle	Comhairle Ceantair Lár agus Oirthear Aontroma	Council	Mid and East Antrim
Polasaí	Gan polasaí ar bith i bhfeidhm	Policy	No policy in place
Scóip	Tarraingíodh an polasaí siar i ndiaidh do Chonradh na Gaeilge agus CAJ ceisteanna a ardú faoi dhlíthiúlacht an pholasaí a bhí ann.	Scope	Policy withdrawn following concerns being raised about legality of previous policy by Conradh na Gaeilge and the CAJ.
Comhairle	Comhairle Ceantair Lár Uladh	Council	Mid Ulster
Polasaí	Polasaí ar Ainmniú Sráideanna agus Comharthaíocht Dhátheangach 2018	Policy	Policy on Street Naming and Dual Language Signage 2018
Scóip	Mhaigh polasaí nua um ainmniú sráideanna a tugadh isteach i 2018 go gcaithfidh an Chomhairle "aird a bheith aici ar thuairimí ar bith ar an cheist a chuireann na cónaitheoirí i dtithe ar an tsráid sin in iúl." Deir sé fosta gur chóir do shráidainmneacha "ainm an bhaile fearainn aitiúil nó gné áitiúil thíreolaíoch/thopagrafach, shóisialta nó stairiúil a léiriú."	Scope	A new street-naming policy introduced in 2018 stated that the Council "must have regard to any views on the matter expressed by the occupiers of premises in that street." It also staes that street-names should "reflect the local townland name, or a local geographical/ topographical, social or historical feature."
Comhairle	Comhairle Ceantair an Iúir, Mhúrn agus an Dúin	Council	Newry, Mourne & Down
Polasaí	Ag forbairt Polasaí agus Nósanna Imeachta um Ainmniú, Uimhriú Poist agus Crochadh Ainmchláir (Meitheamh 2015)	Policy	Development Naming, Postal Numbering and Erection of Nameplates Policy and Procedures (June 2015)
Scóip	Éascaíonn an Chomhairle iarratais ó chónaitheoirí na sráide/an bhóthair le comharthaí sráide dátheangacha, nó ainmchláir thánaisteacha i dteanga a chrochadh. I ndiaidh an chomhairliúcháin cinneann móramh simplí de na freagróirí toradh an iarratais a chuirtear síos ansin chun go ndéanfaidh an Chomhairle machnamh air agus cinneadh faoi. Leagann an polasaí béim fosta ar cheartúsáid leaganacha traidisiúnta de logainmneacha agus cuirfear ainmneacha bailte fearainn san áireamh fosta.	Scope	Council facilitates requests from resident(s) of the road/street for the erection of dual language street signs or secondary nameplates in a language. Further to consultation, a simple majority of respondents determines the outcome of the request which is tabled for Council consideration and decision. The policy also promotes the use of traditional correct forms of placenames, and will also include townland names.

COMHARTHAÍOCHT SRÁIDE
STREET SIGNAGE

Sa chuid is mó de na comhairlí a bhfuil polasaithe acu is é achainí ó chónaitheoirí na sráide a chuireann tús leis an phróiseas comhartha dátheangach a chrochadh; go minic caithfidh trian de chónaitheoirí na sráide achainí a chur isteach. Níl ach dhá chomhairle ann a chuireann comharthaí dátheangacha ar fáil as a stuaim féin, mar atá, Comhairle Chathair Dhoire agus Ceantar an tSratha Báin agus Comhairle An Iúir, Mhúrn agus an Dúin. Nascann na comhairlí seo a soláthar le ceartúsáid leaganacha traidisiúnta cruinne de logainmneacha agus topagrafaíocht agus is féidir bailte fearainn a bheith luaite ar a gcomharthaí fosta.

Meastar téarmaí polasaithe comharthaíochta sráide in éadan Beartas 5 den Chreat Comhlíonta a bhaineann le cosc a chur ar leithcheal, ar chúlchéimniú agus ar bhaic le húsáid na teanga. Is beag polasaí i dtaca le comharthaíocht sráide a chomhlíonann forálacha an CETRM atá leagtha amach ag an Chreat. Is cosúil nach réitíonn aon cheann de na forálacha le foráil 'idirdhealaithe gan ábhar' an CETRM.

- Tá an tairseach de mhóramh de dhá dtrian i bhfabhar comharthaí dátheangacha a leagadh síos fíor-ard agus ábhar a bhaineann le cearta mionteanga i gceist. Mheas COMEX go bhfuil tairseach de 50% ró-ard le bheith ag réiteach le CETRM agus mheas sé go raibh tairseach de 20% d'úsáideoirí mionteanga, nuair a amharctar orthu mar ghrúpa ar leith, ró-ard. Is é polasaí Chomhairle Ceantair an Iúir, Mhúrn agus an Dúin an ceann is solúbtha agus ní éilíonn sé go mbainfí cuóta ard amach, ach ní fhágann sé go bhfuil cainteoirí Gaeilge i dteideal comharthaí i gceantair ina bhfuil éileamh, toisc go bhfuil an polasaí féin lánroghnach.
- Is í Comhairle Chathair Dhoire agus Cheantar an tSratha Báin an t-aon chomhairle a chuireann gníomh dearfach chun cinn chun déileáil le gearáin trí iarracht a dhéanamh beartais dhea-chaidrimh a chur i bhfeidhm, is dócha chun caoinfhulaingt a chur chun cinn agus dul i ngleic le leatrom i dtaca leis an Ghaeilge.

In most councils with policies, the trigger for a bilingual sign is a petition of residents in the street; there is often a requirement for one third of the residents to submit a petition. Only two councils appear to provide for bilingual street signs at their own initiative, namely Derry City & Strabane District Council and Newry, Mourne and Down District Council. These councils link their provision to the use of traditional correct forms of placenames and local topography and their signs can also include townland names.

The terms of street sign policies are assesed against Measure 5 of the Compliance Framework which relates to preventing discrimination, retrogression and barriers to using the language. Few policies in relation to street signage are compatible with the provisions of the ECRML as determined by the Framework. All of these above provisions would appear incompatible with the 'unjustified distinctions' provision of the ECRML.

- The threshold set of a two-thirds majority in favour of bilingual signs is extremely high for a minority rights issue. COMEX has regarded a 50% threshold as too high to be compatible with the ECRML, and even regarded a threshold of 20% of minority language users, when taken alone, as too high. The policy of Newry, Mourne and Down District Council is the most flexible and does not require a high quota to be met, it still does not create an entitlement for Irish speakers to have signs in areas where there is demand, as essentially the policy is discretionary.
- Only Derry City & Strabane District Council explicitly promotes positive action to deal with objections, by seeking to trigger good relations measures, presumably to promote tolerance and tackle prejudice in relation to the Irish language.

COMHARTHAÍOCHT SRÁIDE
STREET SIGNAGE

- Tá roinnt de na comhairlí ann nach bhfuil polasaí ar bith acu, nó a bhfuil polasaí acu a phléann le comharthaíocht sráide ach ní comharthaíocht dhátheangach, rud a chiallaíonn go bhfuil comharthaíocht dháteangach eisiata
- Ní fhreastalaíonn an chuid is mó de na comhairlí ar chomharthaíocht dhátheangach as a stuaim féin, agus anuas air sin éilíonn siad achainí ó thrian de na cónaitheoirí chun tús a chur leis an phróiseas: leagann seo sprioc síos atá ard chun éileamh ar sholáthar ceart mionteanga a thosú
- Áireoidh roinnt comhairlí suirbhéanna ar bith nach seoltar ar ais mar dhiúltú agus iad ag meas móraimh de dhá dtrian, rud a dhéanann an tairseach ard níos airde go fóill. Is léir gur idirdhealú gan chúis é seo;
- Má theipeann ar iarratas cuireann roinnt comhairlí cosc ar chónaitheoirí a bheith ag cur isteach iarratas eile: i gCósta an Tóchair agus na Glinnte maireann an cosc cúig bliana;
- Gearrann Comhairle Chathrach Lios na gCearrbhach agus an Chaisleáin Riabhaigh táille ar chónaitheoirí as aistriúchán an tsráidainm a chinntiú, agus éilíonn sé gur 'aistriúchán díreach' ar an ainm Bhéarla a bheadh ann, rud a thagann salach ar fhoráil an CETRM go n-úsáidfí logainmneacha traidisiúnta cruinne. Níl i gcuid mhór logainmneacha ach traslitriú Béarla ó na bunainmneacha Gaeilge, mar sin de, ní bheadh feidhm le 'haistriúchán díreach'. Tá sráidainmneacha ann, áfach, a bhfuil ainm difriúil Béarla acu i gcomparáid leis an bhunleagan Gaeilge. Mar shampla, ainmníodh roinnte sráideanna i mBéal Feirste i ndiaidh 'Cave Hill' sa chathair. Is é Beann Mhadagáin ainm traidisiúnta bunaidh an tsléibhe seo, a chiallaíonn 'the peak of [king] Madagán'. Dá gcuirfí polasaí Lios na gCearrbhach agus an Chaisleáin Riabhaigh i bhfeidhm chaithfí aistriúchán ar na focail 'cave' (uaimh) agus 'hill' (cnoc) a chur ar shráidainmneacha, rud a d'fhágfadh go raibh sráidainmneacha bréagacha Gaeilge ann a thagródh i dtéarmaí ginearálta do ghné thíreolaíoch a bhfuil ainm fíor, sainiúil agus traidisiúnta Gaeilge uirthi.

- Several of the councils have no policy at all, or have a policy that provides for street signage but not bilingual signage, meaning bilingual signage is excluded;
- Most councils do not provide for bilingual signage at their own initiative, but rather require a petition of one-third of residents to initiate the process: this sets a high bar for even initiating a claim to a minority rights provision;
- Several councils, in determining a two-thirds majority, will count any surveys not returned as a 'no', making the high threshold even higher. This is clearly an unjustified distinction;
- After an unsuccessful application some councils have a ban on residents submitting another request: in Causeway Coast & Glens this is five years;
- Lisburn and Castlereagh City Council charges residents for checking the translation of the street name, and requires that this be a "direct translation" of the English name, in conflict with the provision in the ECRML for the use of correct and traditional placenames. Many placenames are essentially English transliterations from original names in Irish, so this issue would not arise. However there are street names that take a different English name to the original in Irish. For example, a number of Belfast streets are named after the city's 'Cave Hill'. The correct and traditional name for this mountain is Beann Mhadagáin, meaning 'the peak of [king] Madagán'. The application of Lisburn & Castlereagh's policy, however, would involve a literal translation of the words 'cave' (uaimh) and 'hill' (cnoc) onto street signs, leading to artificial Irish-language street names referring in generic terms to a physical feature with a specific, authentic and traditional Irish-language name.

Chun go mbeadh na comhairlí ag comhlíonadh a ndualgas i dtaca le sráidainmneacha Gaeilge go hiomlán, b'fhearr cur chuige coitianta a bheith ann sa dóigh is go mbeadh cónaitheoirí soiléir faoi cad is féidir leo a dhéanamh i gceantar ar bith. Ba chóir factóirí ar nós na logainmneacha dúchasacha a bheith i nGaeilge a chur san áireamh agus ba chóir go raibh an tairseach d'éilimh íseal agus muid ag caint ar theangacha mhionlaigh. Ba chóir go raibh bunús an fhreasúrachta soiléir, níor cheart go mbeadh údarás poiblí ag tacú le hagóid atá bunaithe go simplí ar sheicteachas, agus níor chóir go mbeadh ar na cónaitheoirí a chuireann tús leis an iarratas cur suas le haon mhoill, costas nó obair iomarcach mar gheall ar aon chomhairliúchán a reáchtáiltear chun a dhéanamh amach cé acu ar baineadh an tairseach amach nó nár baineadh. Ba cheart go raibh bunús aon agóidí soiléir - níor cheart go mbeadh údarás poiblí ag tacú le hagóid atá bunaithe go simplí ar sheicteachas . Níor chóir go gcuirfeadh aon chomhairliúchán, a dhéantar chun measúnú a dhéanamh ar baineadh amach an tairseach aitheanta, níor chóir go gcuirfeadh sé sin le aon mhoill, chostas nó obair bhreise a chur ar chónaitheoirí a chuireann tús leis an phróiseas.

For the local councils to fully realise their commitments in relation to the Irish language in terms of street signage, a simple, uniform approach would be most suitbale so that residents are clear about what they are entitled to in any area. Factors such as the original placenames being in in Irish are relevant, and thresholds for demand should be set low given we are speaking of a minority language. The basis for objections should also be clear – a public authority should not be giving weight to objections grounded simply in sectarianism, and any consultation which takes place in order to determine whether this threshold has been met should not lead to any delay, cost or undue work being placed on residents who initiate the process.

CUR I BHFEIDHM AG COMHAIRLÍ ÁITIÚLA
IMPLEMENTATION BY LOCAL COUNCILS

Leis na beartais atá curtha i bhfeidhm ag comhairlí áitiúla atá ag teacht nó gan a bheith ag teacht leis an chaighdeán atá leagtha amach sa chreat a mheas, rinne Conradh na Gaeilge agus Ollscoil Uladh suirbhéanna leis na comhairlí áitiúla ag deireadh 2016 agus arís i 2018 chun eolas a bhailiú ar na beartais atá curtha i bhfeidhm acu i dtaca leis an Ghaeilge de le blianta beaga anuas. Úsáideadh torthaí na suirbhéanna seo chun léargas a fháil ar stádas na Gaeilge i ngach ceann de na ceantair chomhairle, a measadh ansin in éadan na mbeartas atá de dhíth chun na dualgais a leagann an Creatlach orthu a chur i bhfeidhm go hiomlán.

Is dócha go bhfuil gníomhaíochtaí eile déanta ag roinnt comhairlí leis na dualgais atá orthu faoin CETML a chomhlíonadh ó a rinneadh an taighde seo i 2016. Tá roinnt samplaí de na gníomhaíochtaí seo curtha san áireamh, ach is léiriú ar stad reatha na gcomhairlí ag am áirithe é seo ná cur síos leanúnach ar ghach gníomh atá á dhéanamh ag comhairlí.

In order to assess the actions that local councils have taken that have or have not met the standard set out in the framework, Conradh na Gaeilge and Ulster University conducted surveys with local councils at the end of 2016 and updated in 2018 to gather information on the actions they have taken in relation to the Irish language in recent years. The responses to these surveys have been used to build a picture of the position of the Irish language in each of the council areas, which has been measured against the actions required to fully implement duties under the framework.

Some councils may have taken further measures to fulfil their duties under the ECRML since this research was carried out in 2016. Some examples of further actions have been included, although the information outlined below acts as more of a snapshot of a moment in time than as a continuously evolving description of every action of each council.

COMHAIRLE CEANTAIR AONTROMA AGUS BHAILE NUA NA MAINISTREACH
ANTRIM AND NEWTOWNABBEY BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Ceantair Aontroma agus Bhaile Nua na Mainistreach nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

MEASURE 1

- Antrim and Newtownabbey Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

BEARTAS 2

- D'fhreagair Comhairle Ceantair Aontroma agus Bhaile Nua na Mainistreach gur chaith siad £17,854.00 ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú sa bhliain 2017/2018, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

MEASURE 2

- Antrim and Newtownabbey Borough Council responded that it has spent £17,854.00 on resourcing the promotion and safeguarding of the Irish language in the year 2017/2018, has never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

BEARTAS 3

- D'fhreagair Comhairle Ceantair Aontroma agus Bhaile Nua na Mainistreach nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge, nó nár ghlac sí céimeanna ar bith riamh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn.

MEASURE 3

- Antrim and Newtownabbey Borough Council responded that they have never taken any measures to tackle prejudice against the Irish language, nor has it taken any measures to promote tolerance and understanding of the Irish language.

BEARTAS 4

- Níor sholáthair Comhairle Ceantair Aontroma agus Bhaile Nua na Mainistreach aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

MEASURE 4

- Antrim and Newtownabbey Borough Council did not provide any information on any services available through Irish or related to the Irish language.

BEARTAS 5

- D'fhreagair Comhairle Bhuirg Aontroma agus Bhaile na Mainistreach go bhfuil seirbhís acu ar iarratas le freagraí a thabhairt ar cumarsáid scríofa nó iarratais teileafóin nó iarratais i bpearsa i nGaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Dúradh gurb ionann an soláthar reatha agus an soláthar a bhí ag na seanchomhairlí.
- Níl polasaí reatha i bhfeidhm toisc gur tarraingíodh siar an polasaí a bhí ann a chuir cosc ar aon teanga seachas Béarla tar éis caingean dlí a thóg cónaitheoir de chuid na comhairle.

MEASURE 5

- Antrim & Newtownabbey Borough Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.
- No audit of Irish language skills among current staff has been undertaken.
- The level of protection for the Irish language was described as the same level as there was in the predecessor councils.
- Previous street signage policy which prohibited any language other than English was withdrawn following legal action taken by a resident of the council (September 2018).

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin chreatlach.

CONCLUSION

The Council is not fulfilling its obligations under the framework.

COMHAIRLE CEANTAIR AN DÚIN THUAIDH AGUS NA HARDA
ARDS AND NORTH DOWN BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Ceantair an Dúin Thuaidh agus na hArda nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

MEASURE 1

- Ards and North Down Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

BEARTAS 2

- D'fhreagair Comhairle Ceantair an Dúin Thuaidh agus na hArda gur chaith siad £1,451.00 ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú sa bhliain 2017/2018, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

MEASURE 2

- Ards and North Down Borough Council responded that they have spent £1,451.00 on resourcing the promotion and safeguarding of the Irish language, in the year 2017/2018, have never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

BEARTAS 3

- D'fhreagair Comhairle Ceantair an Dúin Thuaidh agus na hArda nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge.
- Nuair a fiafraíodh den chomhairle ar ghlac sí céimeanna ar bith riamh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn, d'fhreagair sí go bhfuil filíocht agus scéalaíocht i nGaeilge mar chuid d'fhéile Aspects.

MEASURE 3

- Ards and North Down Borough Council responded that they have never taken any measures to tackle prejudice against the Irish language.
- When asked whether the council has taken any measures to promote tolerance and understanding of the Irish language, the responded that Irish poetry and storytelling was included as part of Aspects festival.

BEARTAS 4

- Níor sholáthair Comhairle Ceantair an Dúin Thuaidh agus na hArda aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.
- D'fhreagair Comhairle Ceantair an Dúin Thuaidh agus na hArda go bhfuil seirbhís acu ar iarratas le freagraí a thabhairt ar cumarsáid scríofa nó iarratais teileafóin nó iarratais i bpearsa i nGaeilge.

MEASURE 4

- Ards and North Down Borough Council did not provide any information on any services available through Irish or related to the Irish language.
- Ards and North Down Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.

BEARTAS 5

- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Dúradh gurb ionann an soláthar reatha agus an soláthar a bhí ag na seanchomhairlí.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETRM.

MEASURE 5

- No audit of Irish language skills among current staff has been undertaken.
- The level of protection for the Irish language was described as the same level as there was in the predecessor councils.
- The policy on bilingual street signage does not fulfil the obligations as set out in the ECRML.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin chreatlach.

CONCLUSION

The Council is not fulfilling its obligations under the framework.

COMHAIRLE CEANTAIRHATHAIR ARD MHACHA, AGUS BHUIRG DHROICHEAD NA BANNA AGUS CRAIGAVON
ARMAGH, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Ceantair Ard Mhacha, Dhroichead na Banna agus Craigavon nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

MEASURE 1

- Armagh City, Banbridge and Craigavon Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

BEARTAS 2

- Mar fhreagra ar an cheist faoi áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú, dúirt an Chomhairle gur chaith siad £14,230.99 sa bhliain 2017/2018, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

MEASURE 2

- In response to a question on the promotion and safeguarding of the Irish language, the Council reported a spend of £14,230.99 in the year 2017/18. The Council has never employed an Irish Language Officer and has never applied for funding available from Foras na Gaeilge in order to employ one.

BEARTAS 3

- D'fhreagair Comhairle Ceantair Ard Mhacha, Dhroichead na Banna agus Craigavon nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge, nó nár ghlac sí aon chéimeanna riamh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn.

MEASURE 3

- Armagh City, Banbridge and Craigavon Council responded that they have never taken any measures to tackle prejudice against the Irish language, nor has it taken any measures to promote tolerance and understanding of the Irish language.

BEARTAS 4

- Níor sholáthair Comhairle Ceantair Ard Mhacha, Dhroichead na Banna agus Craigavon aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

MEASURE 4

- Armagh City, Banbridge and Craigavon Council did not provide any information on any services available through Irish or related to the Irish language.

BEARTAS 5

- Nuair a fiafraíodh di cén seirbhísí a chuireann sí ar fáil i nGaeilge laistigh de chreat na ndualgas idirnáisiúnta, d'fhreagair Comhairle Ceantair Ard Mhacha, Dhroichead na Banna agus Craigavon nár bhain seo leo, is dócha toisc nach bhfuil polasaí ar bith acu agus dúirt siad i bhfreagraí roimhe seo nach bhfuil céimeanna ar bith glactha acu i dtaca leis an Ghaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- D'fhreagair Comhairle Ceantair Ard Mhacha, Dhroichead na Banna agus Craigavon nach raibh a fhios ag duine ar bith cé acu an raibh soláthar níos lú ann anois i gcomparáid leis na forais a bhí ann roimhe. Is dócha go bhfuil sé níos lú toisc go raibh leibhéal áirithe soláthair ag ceann de na comhairlí, Ard Mhacha, nach bhfuil ag an fhoras a tháinig ina dhiaidh sin.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach san CETRM.

MEASURE 5

- On being asked what services were provided in Irish within the framework of international obligations, Armagh City, Banbridge & Craigavon Council responded that this was not applicable to them, presumably as they have no policy and have stated in previous answers that they have taken no action in relation to the language.
- No audit of Irish language skills among current staff has been undertaken.
- Armagh City, Banbridge & Craigavon Council responded it was "unknown" whether current provision was less than its predecessor bodies. It is likely to be less as one predecessor Council, Armagh, did have a level of provision that its successor body does not.
- The policy on bilingual street signage does not fulfil the obligations as set out in the ECRML.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin chreatlach.

CONCLUSION

The Council is not fulfilling its obligations under the framework.

COMHAIRLE CATHRACH BHÉAL FEIRSTE
BELFAST CITY COUNCIL

BEARTAS 1

- I 2018, ghlac Comhairle Cathrach Bhéal Feirste le Straitéis Teanga, le forálacha a bhaineann le caomhnú agus le cur chun cinn na Gaeilge san áireamh
- Cé nach gcuireann Comhairle Cathrach Bhéal Feirste an Ghaeilge ar bhrandáil, ar chomharthaíocht nó ar lógó s'aici, cuirfidh sí páipéarachas dátheangach ar fáil dá baill thofa ar iarratas ar mhaithe lena ngnó pearsanta.
- Deir an Straitéis Teanga "*Go nglacfaidh an Chomhairle gach céim atá réasúnta chun freastal ar na riachtanais seo agus chun iarratais a chomhlíonadh ag brath ar na háiseanna atá ar fáil agus go mbeidh aird aici ar chearta agus ar dhualgais reachtúla*"

MEASURE 1

- In 2018 Belfast City Council adopted a Languages Strategy which includes provisions in relation to the protection and promotion of the Irish language.
- Although Belfast City Council does not include the Irish language on its branding or signage, it will provide elected members with bilingual stationary for their own use on request.
- The Language Strategy states that “The Council will take all reasonable steps to address these needs and to meet requests within available resources and mindful of statutory rights and obligations”

BEARTAS 2

- Mar fhreagra ar an cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £112,099.65 sa bhliain 2017/2018.
- Chruthaigh Straitéis Teanga 2018 ról an Oifigigh Ghaeilge, an chéad uair a raibh an ról sin ag an Chomhairle.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported a spend of £122,099.65 in the year 2017/2018.
- The 2018 Language Strategy created the role of Irish Language Officer, the first time that the Council has had such a role.

BEARTAS 3

- Nuair a fiafraíodh di faoi na céimeanna a glacadh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn, dúirt an Chomhairle go bhfuil leagan Gaeilge de lógó na comhairle ar fáil, go bhfuil fáil ag comhairleoirí ar pháipéarachas Gaeilge ar iarratas, go gcrochtar comharthaíocht Ghaeilge, agus go bhfuil imeachtaí iarscoile don óige agus tograí cultúrtha agus oideachais ann.

MEASURE 3

- When asked about measures taken to tackle prejudice against the Irish language, Belfast City Council has responded that they do so through events, erecting Irish language street signage, youth after-school clubs and cultural and educational projects.

BEARTAS 4

- Comhfhreagras, idir scríofa agus labhartha, ar fáil trí mheán na Gaeilge
- Eolas le bheith curtha ar fáil trí mheán na Gaeilge ag gach ionad de chuid na comhairle a dtéann scoileanna ar cuairt ann m.sh. Zú Bhéal Feirste

MEASURE 4

- Correspondence, both written and oral, available in Irish
- Information to be provided in Irish at all council-run destinations for schools e.g. Belfast Zoo.

BEARTAS 5

- Ligeann an polasaí don chomhairle traenáil teanga a thabhairt dá foireann, agus tacú le imeachtaí a úsáideann an Ghaeilge; geallann sé go gcuirfear eolas ar fáil i nGaeilge do dhaltaí Gaelscoile a úsáideann an zú, halla na cathrach nó aon ionad eile.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha ach thig le Rannóga ranganna bunchomhrá a eagrú don fhoireann más maith leo.
- Ó tharla nár cónascadh Comhairle Chathair Bhéal Feirste le comhairle ar bith eile, mothaíodh nár bhain ceist an chúlchéimnithe léi.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach san CETRM.

MEASURE 5

- The policy permits the Council to offer language training to staff and to support cultural activities that use Irish; it commits to providing information in Irish to Irish-medium school pupils using the zoo, city hall or other facilities.
- No audit of Irish language skills among current staff has been undertaken although Departments may choose to organise basic conversational level language classes for staff.
- As Belfast City Council was never merged with another council, it felt that the issue of retrogression did not apply to it.
- The policy on bilingual street signage does not fulfil the obligations as set out in the ECRML.

CONCLÚID

Ní chomhlíonann an Straitéis Teanga ar glacadh léi i 2018 gach dualgas faoin chreatlach ach is céim mhór chun cinn í maidir le soláthar Gaeilge i gcomparáid leis na seanchomhairlí. Táthar ag súil gurb í seo an chéad chéim eile in iarrachtaí na Comhairle gach dualgas faoin chreatlach a chomhlíonadh.

CONCLUSION

The Language Strategy adopted in 2018 does not fulfil all obligations under the framework but is an improvement on the provision made for the Irish language under previous councils. It is hoped that this is the next step in the Council's progressive realisation of all commitments under the framework.

COMHAIRLE CEANTAIR CHÓSTA AN CHLOCHÁIN AGUS NA NGLINNTE
CAUSEWAY COAST AND GLENS BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Ceantair Chósta an Chlocháin agus na nGlinnte nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

MEASURE 1

- Causeway Coast and Glens Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle nár chaith sí aon airgead ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú sa bhliain 2017/2018, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported no expenditure on it in the year 2017/2018, have never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

BEARTAS 3

- Nuair a cuireadh ceist faoi bheartas a rinneadh chun dul i ngleic le leithcheal in éadan na Gaeilge, dúirt Comhairle Ceantair Chósta an Chlocháin agus na nGlinnte go ndéanann siad sin trí chláir, gníomhaíochtaí ardaithe feasachta agus trí feiceálacht na teanga a mhéadú.
- Nuair a cuireadh ceist faoi bheartais a rinneadh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn, dúirt an Chomhairle go ndéantar seo trí feiceálacht na Gaeilge a ardú, ach níor tugadh aon sampla ar cén dóigh a rinneadh é seo.

MEASURE 3

- When asked about measures taken to tackle prejudice against the Irish language, Causeway Coast and Glens Council has responded that they do so through programmes, awareness raising activities etc.
- When asked about measures taken to promote tolerance and understanding of the Irish language, the Council replied that this is done through increasing the visibility of the Irish language, although no examples were given as to how this was done.

BEARTAS 4

- Lorgaíodh an t-eolas seo chun a dhéanamh amach cén seirbhísí go díreach ar féidir le duine a bheith ag súil leo in aon cheantar comhairle. Cé go raibh difríochtaí móra ann ó cheantar go ceantar, rud a d'fhág nach raibh cainteoirí Gaeilge cinnte faoi na seirbhísí a chuireann a gcomhairlí féin ar fáil, bhí an soláthar sa chuid is mó de na comhairlí i bhfad faoin leibhéal seirbhíse a mbeifeá ag súil léi 15 bliana i ndiaidh gur daingníodh an CETRM.
- Maidir leis an Ghaeilge a neadú in imeachtaí cultúrtha agus imeachtaí níos leithne na comhairle is beag eolas atá ar fáil seachas ó na comhairlí sin a bhfuil polasaithe agus oifigigh Ghaeilge.

MEASURE 4

- The purpose of seeking this information was to determine exactly what services an individual can or cannot expect to avail of in any council area. The results from each council varied greatly,however. In consequence, Irish speakers are left unsure as to what services are provided by their own council. Most of the councils fell far short of the standard of service provision which might be expected 15 years after the ratification of the ECRML.
- In relation to incorporation of Irish into the cultural and broader activities of the council, there is little information available save from those councils that have policies and Irish language officers.

BEARTAS 5

- Dúirt Comhairle Ceantair Chósta an Chlocháin agus na nGlinnte go gcuireann siad seirbhís chomhfhreagrais, nó iarratais teileafóin nó i bpearsa ar fáil i nGaeilge ar iarratas.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Níor chomhlíon an polasaí ar chomharthaíocht dhátheangach na dualgais a leagadh amach sa CETRM.
- D'admhaigh Comhairle Ceantair Chósta an Chlocháin agus na nGlinnte go raibh an leibhéal cosanta a thugtar don Ghaeilge níos ísle ná an chosaint a thug na seanchomhairlí. Bhí polasaí dátheangach ag Comhairle Cheantair Léim an Mhadaigh chomh maith le hoifigeach Gaeilge páirtaimseartha. Níl ceachtar acu, an polasaí dátheangach nó an ról, ann anois.
- Ina theannta sin, bhí lógónna dátheangacha ag trí chinn de na ceithre sheanchomhairle agus tá lógó Comhairle Ceantair Chósta an Chlocháin agus na nGlinnte aonteangach, in ainneoin na logainmneacha ina teideal.

MEASURE 5

- Causeway Coast and Glens Borough Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.
- No audit of Irish language skills among current staff has been undertaken.
- ·The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML.
- ·Causeway Coast and Glens Borough Council admitted that the level of protection now given to the Irish language is less than that of the predecessor councils. Limavady Borough Council had a bilingualism policy and a part-time Irish Language Officer. Neither the bilingual policy nor the role of now exist.
- In addition, three of the four predecessor councils had bilingual logos and the current Causeway Coast & Glens Council logo is monolingual, despite the placenames in its title.

- Níl todhchaí na gcomharthaí dátheangacha ar an bhealach isteach chuig an na bailte/sráidbhailte i seancheantar na Maoile slán. Rinneadh iarracht fiú ainm an Roe Valley Arts Centre/Ionad Ealaíon agus Cultúir Ghleann na Ró i Léim an Mhadaidh a ainmníodh go dátheangach, a bhfuil logainm ina theideal agus a mheallann thar 50,000 cuairteoir sa bhliain a athrú. Vótáil an Chomhairle ar son rúin an t-ionad a ainmniú go haonteangach, i ndiaidh seantiarna talaimh, ar chostas a de £12,000 ar a laghad de réir na dtuairiscí. Thóg an pobal raic faoi agus cuireadh an cinneadh ar ceal.
- Níor chomhlíon an polasaí ar chomharthaíocht sráide dhátheangach na dualgais a leagadh amach sa CETRM.

- The future of bilingual town-village entrance signs in the former Moyle Council area is not secure. There was even an attempt to rename the bilingually named Roe Valley Arts Centre/Ionad Ealaíon agus Cultúir Ghleann na Ró, in Limavady, which includes a placename in its name, and draws over 50,000 visitors a year. The Council passed a vote to rename the centre, after a former landowner made a formal request,, at a reported cost of at least £12,000. A subsequent outcry led to the reversal of the decision.
- The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin chreatlach.

CONCLUSION

The Council is not fulfilling its obligations under the framework.

COMHAIRLE CHATHAIR DHOIRE AGUS CHEANTAR AN TSRÁTHA BÁIN
DERRY CITY AND STRABANE DISTRICT COUNCIL

BEARTAS 1

- Thug Comhairle Chathair Dhoire agus Cheantair an tSratha Báin Polasaí Gaeilge isteach i 2015. Fuair an taighde amach gur chomhlíon dréachtú an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.
- Is cosúil go bhfuil an polasaí fréamhaithe san CETRM agus go gcloíonn sé lena phrionsabail ghinearálta meas a léiriú ar ainmneacha agus seoltaí i nGaeilge, agus an ceart atá ag cainteoirí Gaeilge, an fhoireann san áireamh, Gaeilge a úsáid leis an Chomhairle; cuirfidh an Chomhairle in éadan bac ar an cheart an Ghaeilge a úsáid sa saol poiblí

MEASURE 1

- Derry City and Strabane District Council introduced an Irish Language Policy in 2015. The research found the formulation of the policy complied with the framework in that the policy was developed in consultation with Irish speakers, regional bodies, and advocacy groups.
- The policy appears to be grounded in the ECRML and adheres to its general principles to include respecting Irish names and addresses and the right of Irish speakers, including staff, to use Irish with the Council; the Council will also alleviate restrictions on the right to use Irish in public life.

- Tá lógó trí-theangach ag an Chomhairle leis an Ghaeilge, Béarla agus Ultais san áireamh. Tá tús-áite ag an Bhéarla ar an lógó.

- The Council has a trilingual logo including English, Irish and Ulster Scots. On the logo the English language is placed first.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £68,667.02 sa bhliain 2017/2018.. Fosta, tá an Chomhairle mar chuid de Scéim na nOifigeach Gaeilge i gcomhar le Foras na Gaeilge.

MEASURE 2

- In reply to a question on providing resources to promote and protect the Irish language, the Council said that they have spent £68,867.02 in the year 2017/2018. Also, the Council is part of the Irish Language Officer Scheme in partnership with Foras na Gaeilge.

BEARTAS 3

- Spreagann an Chomhairle úsáid na Gaeilge ag ócáidí foirmeálta agus ag cruinnithe poiblí, agus cuirfidh sí an teanga chun cinn mar chuid de gach ceiliúradh cathartha, agus beidh leithscéal de dhíth má thógtar cinneadh ar bith gan amhlaidh a dhéanamh; beidh cabhair dheontais ar fáil le haghaidh gníomhaíochtaí a bhaineann le tograí Gaeilge.
- I measc na ndualgas atá ar an Oifigeach Gaeilge i gComhairle Chathair Dhoire agus Cheantar an tSratha Báin bhí traenáil feasachta faoin teanga a chur ar fáil don fhoireann agus do pháirtithe leasmhara seachtracha. Bhí ar an oifigeach fosta "tograí/cláir agus imeachtaí a fhorbairt agus a sholáthar a bhfuil sé mar aidhm acu feasacht faoi chultúir agus oidhreacht na Gaeilge agus na hUltaise a chur chun cinn agus meas a léiriú orthu, agus a bheith rannpháirteach sna gníomhaíochtaí sin". Is féidir leis an méid seo dul i ngleic le leithcheal agus caoinfhulaingt agus tuiscint ar an teanga a chur chun cinn.

MEASURE 3

- The Council encourages the use of Irish at formal occasions and public meetings, and will promote the language as a component of all civic celebrations, with any decision not to do so having to be justified; there is to be grant-aid of activity for Irish language initiatives.
- Among the duties of the Irish Language Officer in Derry City & Strabane Council was the delivery of language awareness training to staff and external stakeholders. The officer was also to "develop, deliver and participate in initiatives/programmes and events designed to promote awareness of and respect for Irish and Ulster Scots languages, cultures and heritages". This has the potential to tackle prejudice and promote tolerance and understanding of the language.

BEARTAS 4

- Tá réimse leathan dualgas agus freagrachtaí ar Oifigeach Gaeilge Chomhairle Cathair Dhoire agus Cheantar an tSratha Báin, lena n-áirítear:
- Beartais speisialta foghlama agus traenála chun cumas sa Ghaeilge agus úsáid na Gaeilge a chur chun cinn i measc fostaithe agus baill na Comhairle a fhorbairt agus a chomhordú;
- Obair i gcomhar le soláthróirí seachtracha seirbhísí faofa chun soláthar seirbhís aistriúcháin agus ateangaireachta ar chaighdeán dearbhaithe don Ghaeilge agus don Ultais a bhainistiú;
- Traenáil leanúnach a bhunú agus a bhainistiú le haghaidh painéal fostaithe a bhfuil Gaeilge acu agus atá in ann rochtain a thabhairt i nGaeilge ar eolas faoin Chomhairle agus faoi sheirbhísí i nGaeilge i ngach réimse seirbhís de chuid na Comhairle.
- Clár leanúnach gníomhaíochtaí a sholáthar a ardaíonn feasacht agus a chuireann an teanga chun cinn chun daoine a chur ar an eolas oiread agus is féidir faoi sheirbhísí agus imeachtaí Gaeilge agus Ultaise na Comhairle;
- Cuidiú le láithreacht idirlín ar leith i nGaeilge agus in Ultais a fhorbairt agus a chothú don Chomhairle; córas aiseolais ríomhphoist i nGaeilge a bhainistiú agus a chothú;
- Dea-chaidreamh le pobal na Gaeilge a fhorbairt agus a chothú agus oibriú i gcomhar leis na meáin Ghaeilge, ag feidhmiú mar ionadaí don chomhairle nuair is gá;
- A bheith rannpháirteach i bpolasaithe agus i nósanna imeachta go léir na Comhairle ag déanamh cinnte go gcomhlíontar iad.

MEASURE 4

- The Irish Language Officer is Derry and Strabane Council has a wide range of duties and responsibilities, among them are to:
- Develop, co-ordinate and deliver specialist learning and training initiatives to enhance Irish language proficiency and usage among Council employees and members;
- Liaise with approved external service providers to oversee the delivery of a quality assured translation and interpretation service for Irish and Ulster Scots;
- Establish and manage the ongoing training of a panel of Irish-speaking employees capable of providing access to Council information and services in Irish across all service areas;
- Deliver an ongoing programme of promotional and awareness-raising activities in order to maximise awareness of the Council's Irish and Ulster Scots language services and initiatives;
- Assist in the maintenance and development of a dedicated Irish and Ulster Scots web presence for the Council; manage and maintain an Irish language e-mail feedback system;
- Develop and maintain relations with the Irish language community and liaise with the Irish language media, representing the Council as required;
- Participate in and ensure compliance with all Council policies and procedures.

BEARTAS 5

- Maidir leis an cheist faoi iniúchadh a dhéanamh chun cumas Gaeilge na foirne a mheas, dúirt an Chomhairle go bhfuil Oifig na Gaeilge le traenáil painéal foirne le Gaeilge a bhainistiú.
- Ba í Comhairle Chathair Dhoire agus Cheantair an tSratha Báin an t-aon chomhairle a dúirt go raibh an soláthar atá ann don Ghaeilge anois níos fearr ná an soláthar a bhí ann sular atheagraíodh na ceantair chomhairle. Bhí seo amhlaidh toisc go raibh an soláthar a bhí i bhfeidhm i gComhairle Chathair Dhoire scaipthe ar fud cheantar Dhoire agus an tSratha Báin, rud a chiallaíonn gur scaipeadh na seirbhísí agus na háiseanna reatha chuig cheantar tíreolaíoch nach raibh siad ar fáil ann roimhe.
- Tá polasaí ag an chomhairle úsáid na Gaeilge a spreagadh ag ócáidí foirmeálta agus ag cruinnithe poiblí agus cuirfidh sí ateangairí ar fáil.
- Is féidir leis an chomhairle nó le cónaitheoirí tús a chur le hiarratas ar chomharthaíocht dhátheangach. I ndiaidh an iarratais leagfar "an-tábhacht" ar mhóramh de dhá dtrian de na cónaitheoirí, bealach amháin nó bealach eile. Mar a bhfaigheann an Chomhairle agóidí i gcoinne comharthaíochta dátheangaí, smaoineoidh an Chomhairle faoi bhealaí le caidrimh a fheabhsú sa cheantar;

MEASURE 5

- The Council responded to the question regarding an audit of staff to establish proficiency in Irish amongst employees that the Irish Language Office is to manage the training of a panel of Irish speaking staff.
- Derry City and Strabane District Council was the only Council to respond that the provisions now available to the Irish language were more favourable than the provision that was available prior to the reorganisation of the council areas. This was because the provisions in place in the former Derry City Council were applied across the entire Derry and Strabane area, meaning that the existing resources and services were extended to a geographical area where they had not previously been.
- The council has a policy of encouraging the use of Irish at formal occasions and public meetings and will provide interpreters.
- Requests for bilingual street signage can be initiated either by the council or by residents. Following an application, considerable weight will be attached to a two-thirds majority of respondents either way. Where objections to bilingual signage received Council will consider how to improve good relations in the area;

CONCLÚID

Cé go bhfuil bearnaí sa soláthar go fóill, tá tiomantas léirithe ag an chomhairle chun a freagrachtaí faoin chreatlach a chur i bhfeidhm de réir a chéile.

CONCLUSION

Although gaps in provision remain, the council has shown a commitment to progressively realise their obligations under the framework.

COMHAIRLE CEANTAIR FHEAR MANACH AGUS NA HÓMAÍ
FERMANAGH AND OMAGH DISTRICT COUNCIL

BEARTAS 1

- Ghlac Comhairle Ceantair Fhear Manach agus na hÓmaí le Polasaí um Éagsúlacht Teanga in 2014. Fuair an taighde amach gur chomhlíon dréachtú an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.
- Tá Béarla agus Gaeilge ar lógó Chomhairle Ceantair Fhear Manach agus na hÓmaí toisc go dtéann an polasaí brandála níos faide ná lógó foirméalta agus go bhfuil ainmneacha dátheangacha ar fheithiclí, ar pháipéarachas agus ar chomharthaíocht na comhairle – ach nach bhfuil ar éide na comhairle.
- Tá réimse Pholasaí um Éagsúlacht Teanga Chomhairle Contae Fhear Manach agus na hÓmaí níos teoranta ná polasaithe eile ina bhfuil aidhmeanna agus cuspóirí lena n-áirítear tiomantais chun éagsúlacht teanga ann, chun “freagra iomchuí” a dhéanamh ar Ghaeilgeoirí ar mhian leo seirbhísí na comhairle a úsáid i nGaeilge agus chun an teanga a chur chun cinn go ginearálta.

MEASURE 1

- Fermanagh and Omagh District Council adopted a Linguistic Diversity Policy in 2014. The research found the formulation of the policy complied with the framework, in which the policy was developed, in consultation with Irish speakers, regional bodies, and advocacy groups.
- The Fermanagh and Omagh District Council logo includes both the English and Irish language as the branding policy extends beyond a formal logo and includes bilingual names on council vehicles, stationery and signage – but not on council uniforms.
- The Fermanagh and Omagh District Council Policy on Linguistic Diversity is more limited in scope than other policies with aims and objectives that include commitments to promote linguistic diversity, to “respond appropriately” to Irish speakers wanting to use council services through the medium of Irish and generally to promote the language.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £89,798.00 sa bhliain 2017/2018.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported a spend of £89,798.00 in the year 2017/2018.

BEARTAS 3

- Nuair a cuireadh ceist faoi bheartas a rinneadh chun dul i ngleic le leithcheal in éadan na Gaeilge, d'fhreagair an chomhairle go n-eagraíonn siad cláir, ranganna, imeachta ardaithe feasachta agus ócáidí.
- Nuair a cuireadh ceist faoi bheartais a rinneadh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn, dúirt an Chomhairle go mbaintear úsáid as an Ghaeilge ar ábhar agus ar bhrandáil na comhairle agus sna cláir, ranganna, imeachtí agus ócáidí ardaithe feasachta a eagraíonn sí.

MEASURE 3

- When asked what steps were taken to tackle prejudice towards the Irish language, the council replied that they run programmes, classes, awareness raising activities and events.
- When asked what steps were taken to promote tolerance and understanding of the Irish language, the council replied that it makes use of Irish in council materials and branding, programmes, classes, awareness raising activities and events.

BEARTAS 4

- I gComhairle Ceantair Fhear Manach agus na hÓmaí tá feidhmeanna mar a chéile ag an Oifigeach Gaeilge agus atá ag Comhairle Chathair Dhoire agus an tSrátha Báin, agus na dualgais faoi leith seo a leanas ina measc:
- *a dheimhniú go gcloíonn an Chomhairle lena ndualgais reachtúla maidir le seirbhísí na Comhairle a sholáthar trí mheán na Gaeilge*
- *chun córas inmheánach aistriúcháin a choinneáil chun ceisteanna ón phobal a láimhseáil*
- *chun iniúchadh a dhéanamh ar litríocht dhátheangach na comhairle agus chun tuilleadh di a sholáthar*
- *chun a bheith chun tosaigh maidir le hacmhainneacht inmheánach na Gaeilge a sholáthar.*
- *chun forbairt chultúrtha na Gaeilge agus na hUltaise a chur chun cinn agus chun cur chuige comhpháirtíochta a fhorbairt ar chomhthionscadail agus ar thionscadail chomhroinnte*
- *chun tacú leis an Chomhairle chun a gcláir forbartha cultúir a sholáthar agus chun cuidiú a chur ar fáil do ghrúpaí atá ag teacht faoi imeachtaí ealaíona agus cultúrtha*

MEASURE 4

- In Fermanagh and Omagh District Council the Irish Language Officer has similar functions to that of the Derry City and StrabaneDistrict Council, with specific duties to:
- *ensure that the Council adheres to its statutory responsibilities regarding the provision of Council services through Irish*
- *to maintain an internal translation system to deal with public queries*
- *to audit and increase production of bilingual council literature*
- *to spearhead the provision of internal Irish language capacity.*
- *to promote the cultural development of the Irish language and Ulster Scots and develop partnership approaches on joint and shared initiatives*
- *to support the Council in the delivery of its cultural development programmes and provide assistance to groups undertaking arts and cultural events*

BEARTAS 5

- De réir an pholasaí, is féidir le hionadaithe an Ghaeilge a úsáid "nuair is cuí ach meas a léiriú ar fhéiniúlacht daoine eile." I Lúnasa 2015 rinne an Chomhairle comhairliúchán ar dhréacht-pholasaí Gaeilge agus tá dul chun cinn déanta ar bhrandáil dhátheangach, ach ní féidir a rá go bhfuil 'gníomh diongbháilte' ann chun an Ghaeilge a chosaint sa chreat CETMR.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Chuir an Chomhairle in iúl gurb ionann an soláthar agus a bhíodh i gComhairle Ceantair Fhear Manach agus na hÓmaí toisc go bhfuil an líon céanna foirne ag obair leis an teanga agus a bhíodh sna comhairlí roimhe seo.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETRM.

MEASURE 5

- The policy allows elected representatives to use Irish "whenever appropriate, while respecting others' identities." In August 2015, the Council consulted on a draft Irish language policy and has taken steps towards bilingual branding, but the present policy cannot be said to constitute 'resolute action' to safeguard the Irish language in the ECRML framework.
- No audit of Irish language skills among current staff has been undertaken.
- The council maintained that provision was the same was in Fermanagh and Omagh District Council as it had the same number of staff working on the language as there were in predecessor councils.
- The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML.

CONCLÚID

Cé go bhfuil céimeanna áirithe chun tosaigh ag an chomhairle chun an Ghaeilge a chosaint agus a chur chun cinn, níl Polasaí um Éagsúlacht Teanga na Comhairle 2014 ag comhlíonadh a dualgais faoin chreatlach.

CONCLUSION

Although some positive steps have been taken by the council in relation to protection and promotion of the Irish language, the Linguistic Diversity Policy 2014 does not fulfil the council's obligations under the framework.

COMHAIRLE CEANTAIR LIOS NA GCEARRBHACH AGUS AN CHAISLEÁN RIABHAIGH
LISBURN AND CASTLEREAGH CITY COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Ceantair Lios na gCearrbhach agus an Chaisleán Riabhaigh nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle, cé go gcuirfidh an Chomhairle ar fáil dá n-ionadaithe tofa páipéarachas dhátheangach dá n-úsáid féin agus é a iarraidh.

MEASURE 1

- Lisburn and Castlereagh City Council responded that they have no Irish Language policy in place or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the council, although the Council will provide elected members with bilingual stationery for their own use on request.

BEARTAS 2

- D'fhreagair Comhairle Ceantair Lios na gCearrbhach agus an Chaisleán Riabhaigh nár chaith sí aon airgead ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú sa bhliain 2017/2018, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

MEASURE 2

- Lisburn and Castlereagh City Council responded that they have spent no money on resourcing the promotion and safeguarding of the Irish language, in the year 2017/2018, have never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

BEARTAS 3

- D'fhreagair Comhairle Ceantair Lios na gCearrbhach agus an Chaisleán Riabhaigh nár chuir sí beartas ar bith i bhfeidhm riamh chun dul i ngleic le leithcheal in éadan na Gaeilge, nó nár ghlac sí céimeanna ar bith riamh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn.

MEASURE 3

- Lisburn and Castlereagh City Council responded that they have never taken any measures to tackle prejudice against the Irish language, nor has it taken any measures to promote tolerance and understanding of the Irish language.

BEARTAS 4

- Níor sholáthair Comhairle Ceantair Lios na gCearrbhach agus an Chaisleán Riabhaigh aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

MEASURE 4

- Lisburn and Castlereagh City Council did not provide any information on any services available through Irish or related to the Irish language.

BEARTAS 5

- Nuair a iarradh maidir leis na seirbhísí a bhí á soláthar i nGaeilge laistigh de chreat na n-oibleagáidí idirnáisiúnta, d'fhreagair Comhairle Ceantair Lios na gCearrbhach agus an Chaisleán Riabhaigh nár bhain sé seo leo, ar an ábhar, is dócha, nach bhfuil aon pholasaí acu agus nach bhfuil aon ghníomh curtha i bhfeidhm acu maidir leis an Ghaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETRM.

MEASURE 5

- On being asked what services were provided in Irish within the framework of international obligations, Lisburn and Castlereagh City Council responded that this was not applicable to them, presumably as they have no policy and have stated in previous answers that they have taken no action in relation to the language.
- No audit of Irish language skills among current staff has been undertaken.
- The policy on bilingual street signage did not fulfil the obligations as set out in the ECRML

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin chreatlach.

CONCLUSION

The Council is not fulfilling its obligations under the framework.

COMHAIRLE CEANTAIR LÁR AGUS OIRTHEAR AONTROMA
MID AND EAST ANTRIM BOROUGH COUNCIL

BEARTAS 1

- D'fhreagair Comhairle Ceantair Lár agus Oirthear Aontroma nach bhfuil aon pholasaí Gaeilge i bhfeidhm acu, nó forálacha ar bith don Ghaeilge in aon pholasaí ginearálta eile.
- Níl an Ghaeilge le feiceáil ar chor ar bith i mbrandáil, i gcomharthaíocht nó i lógó na comhairle.

MEASURE 1

- Mid and East Antrim Borough Council responded that they have no Irish Language policy in place, or provisions for the Irish language within any other wider policy.
- No Irish language appears in the branding, signage or logo of the Council.

BEARTAS 2

- D'fhreagair Comhairle Ceantair Lár agus Oirthear Aontroma nár chaith sí aon airgead ar áiseanna chun an Ghaeilge a chur chun cinn nó a chaomhnú sa bhliain 2017/2018, nár fhostaigh sí Oifigeach Gaeilge riamh agus nár chuir sí isteach riamh ar mhaoiniú atá ar fáil ó Fhoras na Gaeilge chun oifigeach a fhostú.

MEASURE 2

- Mid and East Antrim Borough Council responded that they have spent £1,103.34 on resourcing the promotion and safeguarding of the Irish language, in the year 2017/2018, have never employed an Irish Language Officer and has never applied for funding, available from Foras na Gaeilge, in order to employ one.

BEARTAS 3

- Nuair a cuireadh ceist faoi bheartas a rinneadh chun dul i ngleic le leithcheal in éadan na Gaeilge, d’fhreagair an chomhairle go bhfuil Scéim Comhionannais agus Dínit ar obair acu.
- Nuair a cuireadh ceist faoi bheartais a rinneadh chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn, dúirt an Chomhairle go bhfuil Scéim Comhionannais agus Dínit ar obair acu agus go gcuireann sé chun cinn rang Gaeilge i bhfoilseacháin a bhaineann le himeachtaí.

MEASURE 3

- When asked what steps were taken to tackle prejudice towards the Irish language, the council replied that they have an Equality Scheme and a Dignity at Work policy
- When asked what steps were taken to promote tolerance and understanding of the Irish language, the council replied that has an Equality Scheme and a Dignity at work policy and promotes an Irish language class in events publications.

BEARTAS 4

- Níor sholáthair Comhairle Ceantair Lár agus Oirthear Aontroma aon eolas faoi cheann ar bith dá seirbhísí atá ar fáil trí mheán na Gaeilge nó faoi sheirbhísí a bhaineann leis an Ghaeilge.

MEASURE 4

- Mid and East Antrim Borough Council did not provide any information on any services available through Irish or related to the Irish language.

BEARTAS 5

- Nuair a iarradh maidir leis na seirbhísí a bhí á soláthar i nGaeilge laistigh de chreat na n-oibleagáidí idirnáisiúnta, d'fhreagair Comhairle Ceantair Lár agus Oirthear Aontroma nár bhain sé seo leo, ar an ábhar, is dócha, nach bhfuil aon pholasaí acu agus nach bhfuil aon ghníomh curtha i bhfeidhm acu maidir leis an Ghaeilge.
- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- D'fhreagair Comhairle Ceantair Lár agus Oirthear Aontroma gur sholáthair siad, ar iarratas, seirbhís trína dtugtar freagra ar chomhfhreagas, nó ar iarratais ghutháin nó ó dhaoine i nGaeilge.
- Níl aon pholasaí reatha acu ar chomharthaíocht dhátheangach agus dá bhrí sin ní chomhlíonann an polasaí ar chomharthaíocht dhátheangach na dualgais atá leagtha amach sa CETRM.

MEASURE 5

- On being asked what services were provided in Irish within the framework of international obligations, Mid and East Antrim Borough Council responded that this was not applicable to them, presumably as they have no policy and have stated in previous answers that they have taken no action in relation to the language.
- No audit of Irish language skills among current staff has been undertaken.
- Mid and East Antrim Borough Council responded that they delivered, on request, the service of responding to correspondence, or telephone or in-person requests in Irish.
- They have no current policy on bilingual street signage and therefore do not fulfil the obligations as set out in the ECRML.

CONCLÚID

Níl an Chomhairle ag comhlíonadh a dualgais faoin chreatlach.

CONCLUSION

The Council is not fulfilling its obligations under the framework.

COMHAIRLE CEANTAIR LÁR ULADH
MID ULSTER DISTRICT COUNCIL

BEARTAS 1

- Ghlac Comhairle Lár Uladh le Polasaí Gaeilge i Nollaig 2015.
- Fuair an taighde amach gur chomhlíon forbairt an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £122,372.15 sa bhliain 2017/2018.
- Tharraing an Chomhairle síos £20,000 maoiniú mar chuid den Scéim Oifigeach Gaeilge atá á reachtáil ag Foras na Gaeilge.

BEARTAS 3

- D'fhreagair Comhairle Ceantair Lár Uladh gurbh iad na beartais chun dul i ngleic le leithcheal in éadan na Gaeilge agus chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn ná cláir, ranganna, imeachtaí chun feasacht a ardú, feiceálacht na teanga a mhéadú, agus comharthaíocht sráide i nGaeilge a chur in airde.

MEASURE 1

- Mid Ulster Council adopted an Irish Language Policy in December 2015.
- Research found that the development of the policy complied with the framework, namely that it included consultation with Irish speakers, regional bodies and advocacy groups.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported an internal spend of £122,372.15 in the year 2017/2018.
- The Council drew down £20,000 of funding as part of the Irish Language Officer Scheme which is run by Foras na Gaeilge.

MEASURE 3

- Mid Ulster District Council responded that among the actions taken to tackle prejudice and aid the promotion, tolerance and understanding of the language include programmes, classes, awareness raising activities events, increasing visibility of the language, erecting Irish street signage.

BEARTAS 4

- Feidhmíonn an Polasaí Gaeilge laistigh den chreat CETRM agus tá sé lonnaithe ar sheacht bprionsabal threoracha, agus plean gníomh ina bhfuil liosta de bheartais faoi leith le cur i bhfeidhm. Áirítear leis seo fhorbairt plean do cheantar na comhairle chun Gaeilge a chur chun cinn agus a fhorbairt, féiniúlacht chorparáideach dhátheangach, foilseacháin, poiblíocht, comhfhreagras, an Ghaeilge a chur chun cinn i gcur i láthair, in oiliúint foirne, in úsáid na Gaeilge a spreagadh agus i mbeartais chun feiceálacht na Gaeilge a mhéadú. Tá beartais sa pholasaí seo go soiléir arb ionann iad agus gníomh diongbháilte mar atá leagtha amach sa CETRM.

MEASURE 4

- The Irish Language Policy explicitly operates within the framework of the ECRML and is centred on seven guiding principles with an action plan enumerating specific measures for implementation. This includes the development of a plan for the council area for promoting and developing Irish, a bilingual corporate identity, publications, publicity, correspondence, promoting the use of Irish in presentations and events, staff training, encouragement of use of Irish and measures to enhance the visibility of Irish. This policy clearly contains measures constituting resolute action as set out in the ECRML.

BEARTAS 5

- Ní dhearnadh aon iniúchadh ar scileanna Gaeilge na foirne reatha.
- Tá sé ráite i bpolasaí nua maidir le hainmniú sráideanna a tugadh isteach in 2018 go gcaithfidh “aird a bheith ag an Chomhairle ar cheist ar bith a bhaineann leis an ábhar a chuireann na daoine a bhfuil cónaí orthu sa tsráid sin in iúl.” Luaitear ann fosta go gcaithfidh an méid seo a leanas in ainmneacha sráide: “ainm baile fearainn, nó gné áitiúil tíreolaíochta, topagrafaíocha, sóisialta nó stairiúil.”

MEASURE 5

- No audit of Irish language skills among current staff has been undertaken.
- A new street-naming policy introduced in 2018 stated that the Council “must have regard to any views on the matter expressed by the occupiers of premises in that street.” It also states that street-names should “reflect the local townland name, or a local geographical/ topographical, social or historical feature.”

CONCLÚID

Cé go bhfuil bearnaí sa soláthar, léirigh an chomhairle tiomantas chun a gcuid dualgas de réir an chreatlach a aithint.

CONCLUSION

Although gaps in provision remain, the council has shown a commitment to progressively realise their obligations under the framework.

COMHAIRLE CEANTAIR AN IÚIR, MHÚRN AGUS AN DÚIN
NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

BEARTAS 1

- Ghlac Comhairle Ceantair an Iúir, Mhúrn agus an Dúin Polasaí Dátheangach i Nollaig 2015.
- Fuair an taighde amach gur chomhlíon forbairt an pholasaí an creat, sa mhéid is gur forbraíodh an polasaí i gcomhar le cainteoirí Gaeilge, forais réigiúnacha, agus grúpaí abhcóideachta.
- Is í Comhairle Ceantair an Iúir, Mhúrn agus an Dúin an chomhairle is comhlíontaí. Is cosúil, áfach, go bhfuil an polasaí go fóill lánroghnach: ní aithnítear teidlíocht, agus níl aon toimhde ann i bhfách le dátheangachas a chur chun cinn, comhsheasmhacht leis an CETRM agus ionstraimí eile, muna gcomhlíontar coinníollacha faoi leith.
- Tá sraith de ghnásanna a thacaíonn leis an pholasaí lena n-áirítear féiniúlacht dhátheangach chorparáideach, láithreán gréasáin dhátheangach, cead d'ionadaithe na comhairle ag ócáidí cathracha Gaeilge a úsáid, cinnte a dhéanamh de go léirítear meas don Ghaeilge in imeachtaí de chuid na Comhairle, agus tacú le himeachtaí a bhaineann le teanga agus cultúr na Gaeilge. Is éard atá sna gníomhaireachtaí seo le chéile gníomh diongbháilte chun an teanga a chosaint.

MEASURE 1

- Newry, Mourne and Down District Council adopted a Bilingualism Policy in December 2015.
- Research found that the development of the policy complied with the framework, in which it included consultation with Irish speakers, regional bodies and advocacy groups.
- Newry, Mourne & Down is the most compliant council. The policy, however, still appears discretionary: no entitlement is recognised, and there is no presumption in favour of promoting bilingualism unless certain conditions, consistent with the ECRML and other instruments, are met.
- The policy is supplemented by a set of procedures which include a bilingual corporate identity, a bilingual website, permitting council representatives at civic events to use Irish, ensuring consideration is given to including Irish in council events, and supporting Irish language and cultural activities. All of these activities collectively constitute resolute action to safeguard the language.

BEARTAS 2

- Mar fhreagra ar cheist faoi áiseanna a chur ar fáil chun an Ghaeilge a chur chun cinn agus a chaomhnú, dúirt an Chomhairle gur chaith siad £108,109.00 sa bhliain 2017/2018
- Tá trí ball foirne fostaithe ag an Chomhairle in Aonad na Gaeilge.

MEASURE 2

- In response to a question on resourcing the promotion and safeguarding of the Irish language, the Council reported an internal spend of £08,109.00 in the year 2017/2018.
- Three staff members are employed by the Council in an Irish Language Unit.

BEARTAS 3

- D'fhreagair Comhairle Ceantair an Iúir, Mhúrn agus an Dúin gurbh iad na beartais chun dul i ngleic le leithcheal in éadan na Gaeilge agus chun caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn ná imeachtaí chun feasacht a ardú, ócáidí, feiceálacht na teanga a mhéadú, comharthaíocht sráide i nGaeilge a chur in airde, gnéithe maidir le comharthaíocht i nGaeilge a thógáil, brandáil chorparáideach, srl, i ngrúpa tagartha comhionannais traspháirtí.
- I measc na mbeartas chun cur chun cinn, caoinfhulaingt agus feasacht faoin Ghaeilge a chur chun cinn bhí úsáid na Gaeilge ar ábhar na comhairle, agus brandáil, agus imeachtaí chun feasacht a ardú, feiceálacht na teanga a mhéadú, comharthaíocht sráide a chur in airde, agus comharthaí dátheangacha chun fáilte a fhearadh chuig an cheantar a chur in airde.

MEASURE 3

- Newry, Mourne and Down District Council responded that among the actions taken to tackle prejudice of the language include awareness raising activities, events, increasing visibility of the language, erecting Irish language street signage, raising matters relating to Irish language signage, corporate branding etc. in a cross party equality reference group.
- Among the measures taken to aid promotion, tolerance and understanding of the language include the use of Irish in council materials and branding, awareness raising activities, events, increasing the visibility of the language, erecting street signage, erecting bilingual welcome signs to the district

BEARTAS 4

- Cuireann An tIúr, an Dún agus Múrna aistriúchán comhuaineach ar fáil ar imeachtaí (lena n-áirítear cruinnithe comhairle) ina bhfuil an Ghaeilge in úsáid.
- I measc na gcuspóirí polasaí atá ag an chomhairle is féidir le duine ar bith a bhaineann feidhm as seirbhísí na comhairle iad a fháil i mBéarla agus i nGaeilge sa Chomhairle agus chun constaicí ar bith a bheadh in éadan fhorbairt na teanga a bhaint ar shiúl.

MEASURE 4

- Newry, Down and Mourne provides simultaneous translation at events (including council meetings) where Irish is used.
- The council's policy objectives include enabling anyone who receives council services to do so through English or Irish, to promote the use of Irish within the Council and to remove any restrictions which would work against the development of the language

BEARTAS 5

- Nuair a bunaíodh Comhairle an Iúir, Mhúrn agus Dúin in 2015 bhí an soláthar a rinneadh i gComhairle Ceantair an Iúir agus Mhúrn faoi bhrú chun an limistéar níos leithne a chlúdach, limistéar a raibh Comhairle Ceantair an Dúin mar chuid de. Mar sin de, cé go raibh limistéar níos leithne clúdaithe ag cosaintí Gaeilge nuair a tháinig limistéir na gComhairlí le chéile, d'aithin an Chomhairle nárbh ionann é seo agus tuilleadh cosaintí a bheith ar fáil toisc nár cuireadh tuilleadh ar fáil chun an t-ualach breise oibre a aithint.
- I measc na gcuspóirí polasaí atá ag an chomhairle tá sé i gceist go mbainfear ar shiúl constaicí ar bith a rachaidh in éadan fhorbairt na teanga.
- In 2018 tugadh faoi iniúchadh ar scileanna teanga fhoireann na comhairle mar chuid de chlár oiliúna le Gaelchultúr.
- Chun comharthaíocht dhátheangach a chur in airde, tá tacaíocht de dhíth, go simplí, ó mhóramh cónaitheoirí a luaithe agus a dhéanann cónaitheoir iarratas, de réir an chleachtais atá molta.

MEASURE 5

- When Newry, Mourne & Down Council was founded in 2015 the provision that was made in the Newry and Mourne District Council was then stretched in order to cover the larger geographical area which now included Down District Council. Therefore, although a larger geographical area was covered by Irish language protections once the councils areas had merged, the Council acknowledged that this did not mean that there was more protection available as no additional resources were made available to reflect the increased workload.
- The council's policy objectives include removing any restrictions which would work against the development of the language
- In 2018 an audit of the language skills of council staff was undertaken as part of a training programme with Gaelchultúr.
- In order to erect bilingual signage, a simple majority of residents' support is required once an application has been made by a resident, in line with recommended practice.

CONCLÚID

Cé go bhfuil bearnaí sa soláthar, léirigh an chomhairle tiomantas chun a gcuid dualgas de réir chreatlach a aithint.

CONCLUSION

Although gaps in provision remain, the council has shown a commitment to progressively realise their obligations under the framework.

AGUISÍN 1

COMHIONANNAS AGUS DEA-CHAIDRIMH

EQUALITY AND GOOD RELATIONS

APPENDIX 1

COMHIONANNAS

Le hAlt 75 d'Acht Thuaisceart Éireann 1998, leagadh dualgas reachtúil ar údaráis phoiblí comhionannas deiseanna a chur chun cinn i naoi réimse atá luaite sa reachtaíocht. Níl teanga ar na réimsí sin. De réir na ndualgas seo, caithfidh comhairlí Scéimeanna Comhionannais a ghlacadh agus ní mór go mbeadh socruithe leagtha amach iontu chun measúnú a dhéanamh ar an tionchar a bheidh ag polasaithe atá beartaithe agus glactha ar chomhionannas deiseanna.

De réir théarmaí na Scéimeanna Comhionannais reachtúla, ní mór dul i mbun próiseas 'scagadh comhionannais' i dtaca le gach polasaí. Sa phróiseas seo, déantar measúnacht ar an tionchar a bheidh ag polasaithe ar chomhionannas deiseanna. Má léirítear gur dócha go mbeidh drochthionchar ag polasaí ar chomhionannas deiseanna, ba chóir don chomhairle, de ghnáth, Measúnacht Tionchair Comhionannais (MTC) iomlán a dhéanamh. Mura n-aithnítear drochthionchar ar bith a bheith ann, glactar leis go bhfuil an polasaí 'scagtha amach' agus nach bhfuil gá le MTC. As na comhairlí a bhfuil polasaithe Gaeilge glactha acu, dealraíonn sé go bhfuil gach ceann acu i ndiaidh dul i gcomhairle le Coimisiún Comhionannais Thuaisceart Éireann ag céim forbartha an pholasaí. Níl aon dualgas sainiúil ar an Choimisiún Comhionannais maidir le ceisteanna teanga.

Siocair go mbaineann formhór na n-úsáideoirí Gaeilge le cúlra Caitliceach nó náisiúnach nó gur daoine óga iad, de réir na staitisticí, is dócha go mbíonn dea-thionchar soiléir ó thaobh comhionannas deiseanna de ag aon soláthar a dhéantar i leith na Gaeilge ar na grúpaí sin. Is féidir go mbeidh dea-thionchar ó thaobh comhionannas deiseanna de ag polasaithe den chineál seo ar Phrotastúnaigh, ar aontachtóirí, ar dhaoine scothaosta agus ar mhionlaigh eitneacha fosta óir is grúpaí iad sin nach dócha go raibh deiseanna eile acu a bheith i dteagmháil leis an Ghaeilge (Daonáireamh 2011).

EQUALITY

Section 75 of the Northern Ireland Act 1998 placed a statutory duty on public authorities to promote equality of opportunity across nine grounds set out in the legislation. These grounds do not include language. Under these duties councils must adopt Equality Schemes, which must set out arrangements for assessing the impact of proposed or adopted policies on equality of opportunity.

Under the terms of statutory Equality Schemes all policies are to be subject to the process of 'equality screening'. This process involves assessing the impacts of a policy on equality of opportunity. If the screening identifies that the policy would likely have adverse impacts on equality of opportunity, the council should usually then do a full Equality Impact Assessment (EQIA). If no adverse impacts are identified the policy is considered to have been 'screened out' with no need for an EQIA. Among the councils who have adopted Irish language policies, all of the councils appear to have also consulted with the Equality Commission for Northern Ireland at the policy development stage. The Equality Commission does not have a specific remit on language issues.

Given that statistically there are higher numbers of Irish language users among people from a Catholic or nationalist background or among younger people, providing for the Irish language is likely to have a clearer positive impact on equality of opportunity for these groups. However, there is also potential for such policies to have positive impacts on equality of opportunity for Protestants, unionists, older persons and ethnic minorities, all of whom are less likely to have had other opportunities to engage with the Irish language (Census 2011).

Is ionann 'drochthionchar' ar chomhionannas deiseanna agus rud a mbíonn grúpa nó grúpaí daoine thíos leis go láithreach nó rud a mbeidh grúpa nó grúpa daoine thíos leis ar ball. Cé nár léiríodh riamh go dtí seo cén dóigh a mbeadh drochthionchar ar chomhionannas deiseanna ag polasaí Gaeilge atá ag teacht le creat CETMR, tá MTCanna iomlána déanta ar chuid mhaith polasaithe Gaeilge cé nach bhfuil aon fhianaise cheart ann ar dhrochthionchair a bheith ann de réir bhuntéarmaí na reachtaíochta.

Aisteach go leor is minic a bhíonn an seicteachas taobh thiar den aighneas in aghaidh na Gaeilge agus téann sé seo i dtreis le Cuid 75 agus reachtaíocht eile maidir le comhionannas. Is annamh, áfach, a dhéantar tagairt dó seo sna measúnachtaí comhionannais ar pholasaithe Gaeilge.

Rinne trí chomhairle scagadh amach ar a gcuid polasaithe ar an bhunús nár mheas siad tionchair chomhionannais a bheith acu, ach rinne comhairle amháin acu, is é sin Comhairle Chathair Dhoire agus Cheantar an tSrátha Báin, MTC ar pholasaí a bhí ann roimh ré. Rinne Comhairle an Dúin, mar a bhíodh ann, MTC fosta agus fuarthas nach raibh aon drochthionchar ag a pholasaí dátheangachais. Fuarthas amach trí phróiseas scagtha Chomhairle Ceantair Fhear Manach agus na hÓmaí go mbeadh tionchar mór dearfach ag a polasaí teanga siúd ar chúrsaí comhionannais agus dea-chaidrimh. I gcontrárthacht leis sin, agus rud ar ábhar iontais é, fuarthas amach trí phróiseas scagtha Chomhairle Lár-Uladh go mbeadh drochthionchar "mór" ar chomhionannas deiseanna agus ar chúrsaí dea-chaidrimh ag an pholasaí Gaeilge, agus rinneadh MTC iomlán. Ba é conclúid an MTC féin, áfach, gur beag fianaise a bhí le fáil a thacaigh leis an mhaíomh go mbeadh drochthionchar ann.

An 'adverse impact' on equality of opportunity essentially refers to something which immediately has or will lead to a discriminatory detriment to one or more groups of people. Although it has never been demonstrated how an Irish language policy consistent with the ECRML framework could constitute an adverse impact on equality of opportunity, many Irish language policies have been subjected to full EQIAs despite there being no real evidence of adverse impacts under the original terms of the legislation.

Paradoxically hostility to the Irish language is often grounded in sectarianism, which engages Section 75 and other equality legislation, however this is rarely, if at all, alluded to in equality assessments of Irish language polices.

Three councils screened their policies out as not having equality impacts, although one, Derry City & Strabane District Council, had subjected a predecessor policy to an EQIA. This was also the case with the predecessor Down Council which had found no adverse impacts from its bilingualism policy. Fermanagh and Omagh District Council's screening found that its linguistic diversity policy would have major positive impacts on equality and good relations. By contrast Mid Ulster Council's screening exercise surprisingly determined that there would be "major" adverse impacts on equality of opportunity and good relations due to the Irish language policy, and conducted a full EQIA. The EQIA itself however concluded that there was little concrete evidence to substantiate adverse impacts.

DEA-CHAIDRIMH

Cé nach bhforáiltear dó i gComhaontú Aoine an Chéasta, tugadh reachtaíocht isteach faoi choinne na dara coda den dualgas reachtúil faoi Alt 75. Baineann an reachtaíocht sin le dualgas chun 'an dea-chaidreamh' a chur chun cinn ar bhonn tuairim pholaitíochta, creideamh reiligiúnach agus grúpa ciniúil. Tá tús áite, áfach, ag an dualgas maidir le comhionannas.

Shainmhínigh An Coimisiún Eorpach i gcoinne an Chiníochais agus na hÉadulaingthe, de chuid Chomhairle na hEorpa, dea-chaidrimh ina mheabhrán mínithe maidir le Moladh Polasaí Ginearálta 2 athbhreithnithe (folisithe 2018) mar: *"Tá cóimheas, comhthuiscint agus imeascadh mar ghnéithe de chur chun cinn an dea-chaidrimh idir grúpaí éagsúla sa tsochaí agus an leithcheal agus an chaoinfhulaingt á sárú san am céanna". (Alt 21)*

Cé nach n-éilítear leis an reachtaíocht go ndéantar measúnacht ar pholasaithe ó thaobh an dea-chaidrimh de, mar sin féin tá measúnachtaí den chineál seo mar chuid de na scéimeanna comhionannais atá glactha ag roinnt comhairlí. Bíonn fadhbanna leis sin nuair a dhéantar léirmhíniú tuata ar choincheap an dea-chaidrimh óir is minic a dhéantar cinneadh go mbeidh 'drochthionchar' ar an dea-chaidreamh ag aon ábhar atá conspóideach ó thaobh polaitíochta de nó ag aon ábhar a gcuirtear ina choinne.

Tá imní curtha in iúl ag COMEX faoi thuairiscí ó ionadaithe Gaeilge faoi na dóigheanna a bhfuil dualgais á léirmhíniú, agus tá sé ráite go láidir agus go soiléir ag COMEX nach féidir a rá de réir an chreat dlí go mbaineann aon drochthionchar le bearta dearfacha ar son na Gaeilge. Dúradh an méid seo a leanas i dTuarascáil COMEX ar an 3ú Timthriall Monatóireachta i dtaca leis an RA in 2010:

GOOD RELATIONS

Although not provided for in the Good Friday Agreement, a second limb of the section 75 statutory duty was legislated for, namely a duty to promote 'good relations' on grounds of political opinion, religious belief and racial group. That duty is, however, subordinate to the equality duty.

The Council of Europe's European Commission Against Racism and Intolerance (ECRI) in its Explanatory memorandum to revised General Policy Recommendation 2 (published 2018) defined Good Relations as: *"Promoting good relations between different groups in society entails fostering mutual respect, understanding and integration while continuing to combat discrimination and intolerance" (paragraph 21)*

While the legislation does not require that policies undergo assessment on the grounds of good relations, some councils have nevertheless adopted equality schemes which do this. This has been particularly problematic when lay interpretations of the good relations concept have been applied, in essence leading to a determination that any matter which is politically contentious or objected to constitutes an 'adverse impact' on good relations.

COMEX has expressed concerns over reports from Irish language representatives on the ways that the duties have been interpreted, and has emphasised that within the legal framework positive measures for Irish are not to be considered an adverse impact. The COMEX UK 3rd Monitoring Cycle Report, 2010 stated that:

"Cuireadh in iúl don Choiste Saineolaithe gur tharla sé roinnt uaireanta, go háirithe i gcomhairlí áitiúla, go ndearnadh cinneadh gan an Ghaeilge a chur chun cinn ná a úsáid siocair go bhféadfadh a leithéid de bheart a bheith mar shárú ar Alt 75 d'Acht Thuaisceart Éireann… Is mian leis an Choiste Saineolaithe a bhéimniú nach leithcheal in aghaidh úsáideoirí teangacha a úsáidtear go forleathan é bearta speisialta a ghlacadh ar mhaithe le teangacha réigiúnacha nó mionlaigh a bhfuil sé mar aidhm leo comhionannas a chur chun cinn idir úsáideoirí na dteangacha sin agus an chuid eile den daonra agus nach leithcheal é bearta speisialta a ghlacadh a thógann san áireamh riocht sainiúil na dteangacha réigiúnacha nó mionlaigh sin" (Paragraf 123)

Tá a leithéid ráite fosta ag an fhoras maoirseachta um Chreat-Choinbhinsiún Chomhairle na hEorpa um Mionlaigh Náisiúnta. In 2011, dúradh sa Tríú Tuairim acu faoin Ríocht Aontaithe:

"Ba ait leis an Choiste Chomhairleach, agus chuir sé isteach air, go bhfuil roinnt ionadaithe de chuid na n-údarás den tuairim gur leithcheal in aghaidh daoine den mhóramh é úsáid na Gaeilge a chur chun cinn. Níl ráitis den chineál sin ag teacht le prionsabail an Chreat-Choinbhinsiúin... Tugann an Coiste le fios, arís eile, nach... leithcheal in aghaidh daoine eile é cearta na mionlach atá cosanta faoin Chreat-Choinbhinsiún a chur i bhfeidhm." (Paragraf 28)

Dúirt an Coiste fosta gurb é "*an trua é gur mhinic a cuireadh in aghaidh beart chun feiceálacht agus úsáid na teanga a chur chun cinn ar an bhunús gur leithcheal é sin in aghaidh grúpaí eile sa daonra*" (para 21). Phléigh an foras conartha go díreach le húsáid an dualgais i dtaca leis 'an dea-chaidreamh' chun gníomh dearfach i leith na Gaeilge a sheachaint. Luaigh sé go sonrach comharthaí dátheangacha, i bhfianaise na ndualgas sainiúil cultúrtha oidhreachta faoin Chreat-Choinbhinsiún logainmneacha ina mbunteanga a chur chun cinn. In 2011, dúirt an Coiste Comhairleach um an Creat-Choinbhinsiún um Mionlaigh Náisiúnta:

"The Committee of Experts has been informed about several instances, especially within local councils, where it was decided not to promote or use the Irish language as it may contravene section 75 of the Northern Ireland Act… The Committee of Experts emphasises that the adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not to be considered an act of discrimination against the users of more widely used languages" (Paragraph 123)

The supervisory body for the Council of Europe's Framework Convention for National Minorities (FCNM) has also made similar observations. In 2011, their Third Opinion on the UK stated that:

"The Advisory Committee was disconcerted to hear that some representatives of the authorities consider that promoting the use of the Irish language is discriminating against persons belonging to the majority population. Such statements are not in line with the principles of the Framework Convention... It also reiterates that... implementation of minority rights protected under the Framework Convention [is] not be considered as discriminating against other persons." (Paragraph 28)

The Committee further held that "It is regrettable that measures to promote the visibility and use of [the Irish] language have often been opposed with the justification that they constitute discrimination against other groups of the population" (para 21). The treaty body directly addressed use of the 'good relations' duty in preventing positive action on the Irish language, singling out bilingual signage, given the specific cultural patrimony duties under the FCNM to promote placenames in their original languages. In 2011, the Advisory Committee on the Framework Convention for National Minorities:

"Tá sé curtha in iúl don Choiste Chomhairleach nár cuireadh i gcrích i gcásanna áirithe bearta ar mhaithe le daoine de mhionlaigh, amhail comharthaí dátheangacha a chur in airde, ar an bhunús gur gá an dea-chaidreamh a chothú... Chomh maith leis sin, is fadhb é, dar linn, gur polasaí oifigiúil é a leithéid de chomharthaí a chur in airde sna háiteanna sin amháin nach mbeadh aon chonspóid ag baint leo. Is ábhar imní don Choiste Chomhairleach é nach bhfuil an cur chuige seo ag teacht le spiorad an Chreat-Choinbhinsiúin... arb é is aidhm leis meas a léiriú ar úsáid teangacha mionlaigh... d'fhonn tuilleadh caoinfhulaingte agus dialóige idirchultúrtha a chur chun cinn sa tsochaí." (Paragraf 126 agus 158)

Is tábhachtach an creat reachtúil a thabhairt chun cuimhne a rialaíonn gur chóir an reachtaíocht uile, forálacha comhionannais agus dea-chaidrimh san áireamh, a léamh, chomh fada agus is féidir, ar dhóigh atá ag teacht leis na gealltanais i gconarthaí i leith na Gaeilge. Sa chomhthéacs seo, tá sé i bhfad níos fóirsteanaí an dualgas 'dea-chaidrimh' a léamh mar dhualgas chun caoinfhulaingt i leith na Gaeilge agus glacadh léi a chur chun cinn.

Tá samplaí ann de MTCanna a d'fhéach le ceangal díreach a dhéanamh idir forálacha i reachtaíocht faoi fhostaíocht chothrom agus an dea-chaidreamh. De ghnáth, áfach, baineann dualgais fostaíochta cothroime i dtaca le timpeallachtaí oibre síochánta a chur chun cinn lena bheith ag dul i ngleic leis an chlaontacht, le díobháil leithcheala agus le ciapadh seicteach. De ghnáth, tagraíonn an dlí-eolaíocht maidir lena leithéid de dhualgais do chásanna ina gcaithfidh fostóirí cosc a chur ar shiombailí nó ar shuaitheantais a bhaineann le taobh amháin den phobal an lámh in uachtar a fháil ar an taobh eile den phobal. Níor chóir go mbeadh aon bhaint aige sin le polasaithe a chuireann an Ghaeilge chun cinn de réir CETRM. Cuireann creat CETRM an dátheangachas agus tionscnaimh chomhlántacha eile chun cinn taobh istigh de chreat a chinntíonn nach mbíonn leithcheal ann i dtaca leis an tsoláthar leanúnach i mBéarla. Tá an Béarla mar phríomhtheanga na comhairle i ngach polasaí Gaeilge atá glactha go dtí seo.

"The Advisory Committee has been informed that, in some instances, the need for keeping good relations has been used as justification for not implementing provisions in favour of persons belonging to minorities, such as the erection of bilingual signs... Additionally, it finds it problematic that the official policy is to limit the erection of such signs to certain areas where the issue would not raise controversies. The Advisory Committee is concerned that this approach is not in line with the spirit of the Framework Convention... the aim of which is to value the use of minority languages... with a view to promoting more tolerance and intercultural dialogue in society." (Paragraph 126 and 158)

It is important to recall the constitutional framework that all legislation, including equality and good relations provisions, is, as far as possible, to be interpreted compatibly with the treaty-based commitments for the Irish language. A much more appropriate interpretation of the 'good relations' duty in this context is as a duty to promote tolerance and acceptance of the Irish language.

There are examples of EQIAs which have sought to directly relate the provisions of fair employment legislation to good relations. However the fair employment duties to promote harmonious working environments generally relate to tackling prejudice, discriminatory detriment and sectarian harassment. The jurisprudence on such duties tends to refer to situations whereby employers must prevent the symbols or emblems of one side of the community dominating the other. This situation should not arise in relation to policies to promote the Irish language consistent with the ECRML. The ECRML framework promotes bilingualism or other complementary initiatives for Irish within a framework ensuring that there is no prejudice to ongoing provision in English. All Irish language policies to date have kept the English language as the main language of the council.

COMHIONANNAS AGUS DEA-CHAIDRIMH
EQUALITY AND GOOD RELATIONS

In 2012, thug an Coimisiún Comhionannais comhairle chonspóideach do Chomhairle Mhachaire Fíolta nuair a thug sé foláireamh di gan polasaithe atá 'deighilteach' ar bhonn tuairim pholaitíochta/creideamh reiligiúnach a thabhairt isteach. Níl aon fhorálacha sa reachtaíocht fostaíochta cothroime a bhaineann le polasaithe 'deighilteacha'. Bhí an chomhairle a tugadh mar ábhar imní ag grúpaí comhionannais agus ag ceardchumainn mar gheall ar na ciallachais a bheadh ann maidir le comhionannas a chur chun cinn ar bhonn gnéaschlaonta i bhfianaise na seasamh éagsúil ag na páirtithe polaitíochta faoin cheist seo.

Tá argóint ann go gcaithfidh áiteanna de chuid na gcomhairlí bheith 'neodrach' agus baintear úsáid as an argóint sin mar chúis le gan polasaí Gaeilge éifeachtach a ghlacadh de réir CETRM. Ní rud nádúrtha ná neodrach é an Ghaeilge a choinneáil amach ó spásanna de chuid na gcomhairlí agus ó áiteanna poiblí, áfach. Le fírinne, níl aon seasamh 'neodrach' ann a bhfuil gach duine ar aon intinn faoi, agus beidh conspóid pholaitíochta i gcónaí le cinntí maidir le polasaí a sholáthraíonn don Ghaeilge, de réir CETRM, a thabhairt isteach nó gan a thabhairt isteach.

Ní raibh sé i gceist go mbeadh Alt 75 ná an dualgas i leith an dea-chaidrimh mar ábhar crosta polaitíochta. Má fhaightear go bhfuil 'drochthionchar' ar chomhionannas deiseanna siocair polasaí a bheith conspóideach ó thaobh na polaitíochta de nó toisc go bhfuil naimhdeas ina leith, tá an dualgas á chur i bhfeidhm ar dhóigh mhíchuí. Bíonn fadhb ar leith ag teacht chun cinn arís agus arís eile i measúnachtaí tionchair comhionannais, is é sin go mbíonn údaráis phoiblí, comhairlí ina measc, ag déanamh míchatagóiriú ar shonraí staitisticiúla agus ar shonraí cáilíochtúla mar 'dhrochthionchair' i gcásanna áirithe fiú amháin nuair nach mbíonn drochthionchar a bhfuil díobháil leatromach iarbhír (bíodh an tairseach mhídhleathachta bainte amach nó nach mbíodh) mar thoradh air i gceist, de réir an tsainmhínithe a thugtar ar dhrochthionchar.

In 2012 the Equality Commission (ECNI) gave controversial advice to Magherafelt Council cautioning against policies which were 'divisive' on grounds of political opinion/religious belief. Fair employment legislation does not contain any provisions addressing 'divisive' policies. This advice prompted concern among equality groups and trade unions, not least given the implications for the promotion of equality on grounds of sexual orientation in the context of the different positions of political parties on this matter.

There has also been a contention that a council space must remain 'neutral' as a justification for refusing to adopt an effective Irish language policy in accordance with the ECRML. However, the continued exclusion of the Irish language from civic space is neither natural nor neutral. In short, there is no universally agreed 'neutral' position to take, and a policy decision either to provide for the language, in accordance with the ECRML, or not provide for *it*, is going to be poli*tic*ally content*ious.*

Neither section 75 nor the good relations duty were intended to operate as a political veto. It is a misapplication of the duty to find an 'adverse impact' on equality of opportunity merely because a policy is politically contentious, or attracts hostility. A recurring problem in equality impact assessments is public authorities, including councils, miscategorising statistical or qualitative information as 'adverse impacts', when the definition of an adverse impact which relates to actual discriminatory detriment (whether reaching the threshold of unlawfulness or not) is not met.

De ghnáth, is é an rud a bhíonn i gceist leis an fhadhb seo staitisticí a chur i láthair a léiríonn go mbíonn níos mó Caitliceach agus náisiúnach ná Protastúnach agus aontachtóir ag labhairt na Gaeilge, agus an fhaisnéis sin a chur i láthair mar 'dhrochthionchar'. Níl a dhath díobhálach, áfach, faoi difear a bheith ann ó thaobh líon na gcainteoirí de. Is fíorannamh a thagtar ar an chonclúid chéanna maidir le réimse ar bith eile de chuid Alt 75, mar shampla ar bhonn aoise, agus difear ann siocair gur dóchúla go labhraíonn daoine óga Gaeilge i gcomparáid le daoine scothaostsa.

Tá an argóint déanta go bhfuil 'drochthionchar' ar ghrúpaí áirithe ag an Ghaeilge a bheith le feiceáil agus le cluinstin siocair go gcuireann sé isteach ar chearta an duine nár mhaith leis nó léi an Ghaeilge a fheiceáil ná a chluinstin. Ní sárú ar aon cheart atá aitheanta sa bhaile ná go hidirnáisiúnta é, áfach, iachall a bheith ar dhuine an Ghaeilge a fheiceáil in aice leis an Bhéarla ar lógó ná ar chomhartha, ná iachall a bheith ar dhuine daoine eile a chluinstin ag labhairt Gaeilge.

Agus comhairlí áitiúla nó údaráis phoiblí eile ag plé le héilimh go bhfuil polasaithe ag sárú cearta daoine eile, tá sé tábhachtach bonn ceart, dlisteanach a bheith leis na héilimh sin. Chuir Coimisiún Thuaisceart Éireann um Chearta an Duine treoir ar fáil faoin cheist seo i mí Mheithimh 2010 (Cearta Teanga Mionlaigh, an Ghaeilge agus Albainis Uladh: Páipéar treorach faoi chiallachais na Cairte Eorpaí um Theangacha Réigiúnacha nó Mionlaigh, an Choinbhinsiúin Eorpaigh um Chearta an Duine agus Ionstraimí eile):

"Tá iarrtha ar an Choimisiún comhairle a thabhairt roinnt uaireanta sa chás inar chomhlíon eagrais gealltanais maidir le cur chun cinn na Gaeilge, mar shampla trí pholasaithe dátheangacha, agus go bhfuair na heagrais gearán ina dhiaidh sin ag cur ina leith gur sárú ar chearta baill foirne é iachall a chur orthu an Ghaeilge a chur chun cinn. Baineann ceann de na cásanna sin le rialtas áitiúil – nuair a lorg Comhairle Léim an Mhadaidh comhairle faoi shíneadh lógó dátheangach na Comhairle go luath in 2009. Ba é conclúid an Choimisiúin go bhfuil cur chun cinn teangacha mionlaigh i lógónna agus in ábhar corparáideach i dTuaisceart Éireann ag teacht go huile is go hiomlán leis na hoibleagáidí dearfacha atá ar an Ríocht

Typically this will involve matters such as presenting statistics that show that there are more Catholics and nationalists than Protestants and unionists who speak Irish, and presenting this as equating to an 'adverse impact'. However, there is clearly nothing 'adverse' about having a differential in the number of speakers, and such a conclusion is rarely reached on any other section 75 ground where there is such a differential such as on the grounds of age, given that younger people are more likely than older people to speak Irish.

It has been suggested that exposure to the Irish language itself has an 'adverse impact' on some groups, on the basis that this intrudes on the rights of persons who do not want to see or hear the Irish language. However, having to see Irish used alongside English on a logo or sign, or to hear other people speaking Irish, does not breach any recognised right, domestic or international.

It is important that when local councils or other public authorities are dealing with claims that policies infringe upon the rights of others that a legitimate basis for this is stated. The NIHRC provided guidance on this matter in June 2010 (Minority Language Rights, the Irish Language and Ulster Scots: Briefing paper on the implications of the European Charter for Regional or Minority Languages, European Convention on Human Rights and other instruments):

"The Commission has on several occasions been asked to provide advice when organisations in fulfilling commitments to promote the Irish language, through for example bilingual policies, have subsequently received a complaint alleging that obliging staff to promote Irish violates their rights. One of these instances relates to local government – when the Council of Limavady/Léim a' Mhadaidh consulted over the extension of the Council's bilingual logo in early 2009. The Commission concluded that promotion of minority languages in logos or corporate materials in Northern Ireland is entirely in step with the positive human rights obligations of the United Kingdom, and that official acknowledgement of a

Aontaithe maidir le cearta an duine, agus nach sárú ar chearta daoine nach n-úsáideann teanga mionlaigh é aitheantas oifigiúil a bheith tugtha don teanga mhionlaigh sin... Is í comhairle an Choimisiúin gur deacair, ó thaobh chearta an duine de, a fheiceáil go bhfuil bunús dlisteanach ar bith lena bheith ag cur in aghaidh chur chun cinn na Gaeilge ag fostóir nó, ar leibhéal níos ginearálta, ag údarás poiblí."

I gcomhthéacs na dlí-eolaíochta maidir le saoirse cainte, lean an Coimisiún um Chearta an Duine leis agus phléigh sé leis na híogaireachtaí a bhaineann leis an Ghaeilge a úsáid ar dhóigh a léiríonn meas ar chearta daoine eile:
"Maidir le ceisteanna níos leithne, tá sé tugtha le fios ag an Choimisiún nach ann don 'cheart a bheith maslaithe' agus ceart á chleachtadh ag páirtí eile. Is prionsabal ginearálta é seo a bhaineann le saoirse cainte (Airteagal 10 de chuid an Choinbhinsiúin Eorpaigh um Chearta an Duine, ar gá é a léamh i gcomhar le hAirteagal 14 den Choinbhinsiún chéanna faoi neamh-leithcheal i dtaca le gnéithe áirithe, teanga ina measc). Tá an Coimisiún eolach ar na hargóintí atá sa chúrsaíocht go mbaineann 'íogaireachtaí' leis an Ghaeilge. Go deimhin, i gComhaontú Bhéal Feirste (Comhaontú Aoine an Chéasta), spreagann rialtas na Ríochta Aontaithe an Tionól le gealltanais i leith na Gaeilge a chomhlíonadh ar dhóigh 'a chuirfidh san áireamh mianta agus íogaireachtaí an phobail' (ach caithfear a rá nach bhfuil sé soiléir cé acu pobal na Gaeilge nó pobal an Bhéarla atá i gceist). Go ginearálta, bheadh aon iarracht chun srian a chur ar úsáid nó ar chur chun cinn na Gaeilge chun freastal ar 'íogaireachtaí' daoine eile ag teacht salach le saoirse cainte. Mar sin féin, tá léiriú soiléir tugtha i ndlí-eolaíocht an Choinbhinsiúin Eorpaigh um Chearta an Duine (CECD) agus sa Chairt faoin dóigh ar féidir freastal ar íogaireachtaí daoine nach labhraíonn an teanga, is é sin trí aonteangachas sa teanga mhionlaigh a sheachaint. Tá cur chun cinn an iolrachais theangeolaígh atá mar dhlúthchuid de CECD léirithe sa Chairt agus códaithe go follasach inti. Mar shampla, seasann gealltanas na Ríochta Aontaithe chun cead a thabhairt an Ghaeilge a úsáid i ndíospóireachtaí sa Tionól agus i seomraí comhairlí taobh le foráil fhollasach gur féidir déanamh amhlaidh sa chás amháin nach bhfágtar an Béarla ar lár. De réir an phrionsabail chéanna, d'fhéadfaí freastal ar íogaireachtaí daoine nach labhraíonn an Ghaeilge trína chinntiú go mbíonn an Béarla le feiceáil taobh leis an Ghaeilge ar ábhar aitheantais corparáideach."

minority language cannot constitute a violation of the rights of those who do not use that language... The Commission has advised that from a human rights perspective it is difficult to see any legitimate grounds for objecting to the Irish language being promoted by an employer or, more generally, a public authority."

In the context of jurisprudence on freedom of expression, the NIHRC went on to specifically address the issue of sensitivities of using the Irish language in a manner which accommodates the rights of others:
"On broader issues, the Commission has drawn attention to the fact that there is no 'right to be offended' by another party exercising a right. This is a general principle of freedom of expression (ECHR Article 10, which must be read in conjunction with ECHR Article 14 on non-discrimination on grounds that include language). The Commission is aware of arguments that there are 'sensitivities' regarding the Irish language. Indeed the UK government within the Belfast (Good Friday) Agreement encourages the Assembly to sustain commitments to the Irish language in a manner that 'takes account of the desires and sensitivities of the community' (albeit it is not clear if this refers to the Irish-speaking or English-speaking community.) In general restricting use or promotion of Irish to accommodate the 'sensitivities' of others would be incompatible with freedom of expression. However, both ECtHR jurisprudence and the Charter provide a clear indication of how the sensitivities of non-speakers can be accommodated, namely through the prevention of monolingualism in the minority language. The promotion of linguistic pluralism implicit in ECtHR jurisprudence is reflected in and explicitly codified into the Charter. For example the UK's commitment to allow Irish to be used in debates in the Assembly and council chambers stands alongside an explicit provision that this has to be done without excluding the use of English. The same principle indicates that the sensitivities of non-Irish speakers could be met by ensuring that English is not excluded from appearing alongside Irish in corporate identities."

I mí Mheán Fómhair 2009, d'fhoilsigh Coimisiún Thuaisceart Éireann um Chearta an Duine a Thuarascáil Chomhthreomhar faoi CETRM ina dúradh gur cur faoi smacht i dtaca le cearta teanga grúpaí mionlaigh é 'comhthoiliú' a bheith de dhíth sula mbronnfaí cearta ar chainteoirí Gaeilge agus gurb ionann é sin agus 'cead' a bheith de dhíth ón mhóramh, agus nach bhfuil cur chuige den chineál sin ag teacht le cearta an duine:

"Tá sé ráite go leanúnach ag an Choimisiún nach bunús fóirsteanach é an iarracht fhadtéarmach teacht ar chomhthoiliú maidir le coincheapú i dtaca le cearta an duine a chosaint, go háirithe chomh fada agus a bhaineann sé le cearta grúpaí mionlaigh teanga agus eile. Ba chóir go mbeadh sé mar thosaíocht ag aon fhoras riaracháin atá tiomanta don rialú bunaithe ar chearta an duine reachtaíocht a thabhairt isteach agus acmhainní a chur ar fáil de réir mar is gá chun cearta an duine a aithint, a chosaint agus a chomhlíonadh agus chun iad a chosaint, agus ba chóir go mbeadh aird ar leith acu ar chearta grúpaí mionlaigh... B'fhearr, ar ndóigh, comhthoiliú chomh leathan agus is féidir a bheith ann, ach ní réamhchoinníoll é teacht ar chomhthoiliú chun cearta a bhronnadh ar dhaoine.

Tá an prionsabal ginearálta seo maidir le cearta grúpaí mionlaigh léirithe i ndlí-eolaíocht na Cúirte Eorpaí um Chearta an Duine. Sa chás Barankevich v an Rúis, i gcás tionóil agus léiriú smaointe, tuairimí, mothúchán srl ag grúpaí mionlaigh, dúirt an Chúirt go mbeadh aon chur faoi smacht de facto i dtaca le cleachtadh ceart mar gheall ar chead a bheith de dhíth ón mhóramh ag teacht salach leis an Choinbhinsiún. Thug an Chúirt chun cuimhne go raibh "tábhacht ar leith leis an iolrachas, leis an chaoinfhulaingt agus leis an leathanaigeantacht" sna cinntí a bhí déanta aici maidir le comharthaí sóirt na sochaí daonlathaí" agus luaigh sí nach "ionann daonlathas agus tús áite a bheith i gcónaí ag tuairimí an mhóraimh", agus chuir sí béim ar an tábhacht a bhaineann le cothromaíocht a bhaint amach chun a chinntiú go gcaitear mar is ceart le grúpaí mionlaigh agus nach mbaintear mí-úsáid as stádas ceannasaíochta."

In September 2009, the NIHRC published its Parallel Report on the ECRML which stated that requiring 'consensus' before providing for the rights of Irish language speakers essentially subjugates minority language rights to the 'permission' of a majority, and is not a human rights-compliant approach:

"The Commission has consistently maintained that a long-term search for consensus is not an appropriate basis on which to conceptualise the protection of human rights, most especially where the rights of linguistic or any other minorities are concerned. The priority for any administration committed to governance based on human rights must be to legislate and direct resources as necessary to recognise, respect, protect and fulfil human rights, having particular regard to minority rights... The broadest possible consensus is of course much to be desired, but the achievement of consensus is not a precondition for giving people access to their rights.

This general principle of minority rights is reflected in the jurisprudence of the European Court of Human Rights. In Barankevich v Russia, in the case of assemblies and expression by minorities, the Court stated that any de facto subjugation of the exercise of rights to permission from the majority would be incompatible with the Convention. The Court recalled that its decisions in reference to the hallmarks of a democratic society had "attached particular importance to pluralism, tolerance and broadmindedness" and noted that "democracy does not simply mean that the views of the majority must always prevail", emphasising the importance of a balance ensuring the proper treatment of minorities and avoiding abuse of a dominant position."

NÓTAÍ
NOTES

Cloch an Mhíle
Baile fearainn An Mullach Mór
THE MILESTONE
TOWNLAND OF MULLAGHMORE

Ionad Fóillíochta an Iúir
Newry Leisure Centre
Uaireanta Oscailte
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Sat: 9.00am - 5.30pm
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Balcóin
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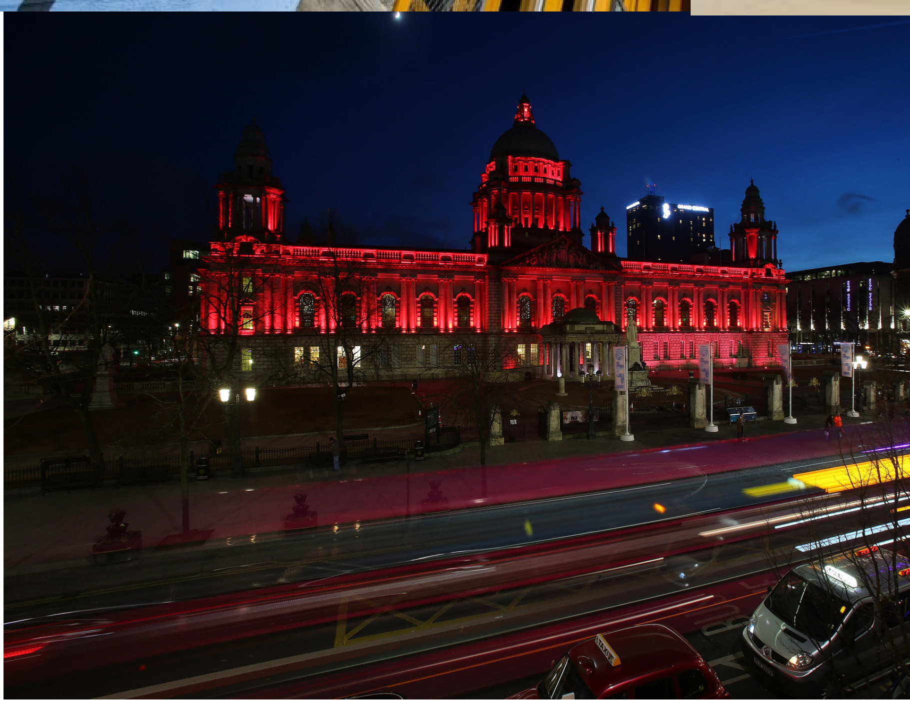

Welcome to
Fermanagh & Omagh District
Fáilte chuig
Ceantar Fhear Manach agus na hÓmaí
Bienvenue
Benvenuto
Powitanie
Willkommen
Fair fa' ye
欢迎

CAJ

Conradh na Gaeilge

Foras na Gaeilge