

Scéalta Bhéal Feirste - Comhairliúchán **Belfast Stories - Consultation**

Seoltar an aighneacht seo mar chuid de chomhairliúchán Chomhairle Chathair Bhéal Feirste maidir leis an áis úr-molta cuairteora, Scéalta Bhéal Feirste. Iarrtar ar Chomhairle Chathair Bhéal Feirste glacadh leis an cháipéis seo ina hiomláine mar aighneacht oifigiúil.

This submission has been submitted as part of Belfast City Council's consultation into the city's new proposed visitor attraction, Belfast Stories. We request that this document is accepted in full as an official submission to this consultation process.

Líonra Feirste Thiar

For the first time ever, areas outside of the Gaeltacht regions have been awarded official status as areas of specific linguistic importance. In 2018, Foras na Gaeilge awarded specific status to 'Irish Language Network Areas' and West Belfast was one of only 5 areas chosen across Ireland. Funding was made available to develop a language plan for the area in 2018 and since then that plan has been approved by Foras na Gaeilge and given official status by the Irish Government. In September 2022, a language planning co-ordinator was appointed to oversee implementation of that plan over the next 7 years.

The overall aim of the West Belfast Language Network (Fís an Phobail) to support the development of a critical mass of speakers to foster and strengthen a sustainable language community in the years. The official recognition for this network provides national status for our work and the additional resources that accompany the project provides the space with which to implement an ambitious plan which recognises and assesses existing provision and develops an action plan to strengthen and expand on them in the years ahead.

In an area no bigger than 3 square miles we have; 5 Irish-medium primary schools; 6 IM nursery providers; the biggest post-primary IM school anywhere in Ireland; 3 youth clubs and the regional IM youth body (Fóram na nÓg); 2 IM community orgs supported through Foras na Gaeilge's Language in the Community Scheme (Glór na Móna and Ionad Uibh Eachach); two childcare providers (Ionad Uibh Eachach and Teach Mhamó); An IM Cultural and Arts Centre (Cultúrlann McAdam Ó Fiach); a full-time community radio station (Ráidió Fáilte); a professional theatre company (Aisling Ghéar); an Irish language GAA club (Laochra Loch Lao CLG); a community learning and social hub (Cumann Chluain Árd); a training and vocational company (Gaelchúrsaí); A Business Agency driving the Gaeltacht Quarter development (Forbairt Feirste) - which is located in the newly built Áras na bhFál alongside other IM bodies such as Iontaobhas na Gaelscolaíochta, Comhairle na Gaelscolaíochta and national advocacy body, Conradh na Gaeilge. St Marys University College, the only third level teacher training provider for IM schools in also located in the area alongside a myriad of smaller sporting, heritage and community projects which make West Belfast uniquely positioned to develop bilingual communities in the years ahead.

Conradh na Gaeilge

From its establishment on the 31st July 1893, members of Conradh na Gaeilge have

been active in promoting the Irish language in every aspect of this country's life, from legal matters, to education, to developments in the media and Irish language services.

Conradh na Gaeilge has been appointed by Foras na Gaeilge, the all island body responsible for the promotion of the Irish language, as one of the six lead organisations funded to develop the Irish language across the island. Primarily, the role of Conradh na Gaeilge is to protect the language, to act as representatives and to raise awareness of the language.

There are 180 branches and many individual members of Conradh na Gaeilge. All members of Conradh na Gaeilge work hard to develop the use of Irish in their own areas. More information about the work of Conradh na Gaeilge is available at www.cnag.ie

Introduction

We warmly welcome the fact that Belfast City Council are undertaking this exciting new project which will centralise civic voices and tell the stories of those that call Belfast their home. We are also hugely encouraged by the commitment to include diverse stories representing the different identities and people that make up our wonderful city, in a way that makes sure 'people are proud of Belfast Stories and feel that it is truly theirs!' In that spirit and in order to be fully representative of that community, we feel that this project must not ignore the rich and indeed, diverse history of the Irish language in the city, nor should it ignore the growing community who are choosing to live their lives through the medium of Irish. This will support the Council's own focus to make sure that 'Belfast Stories is **for everyone**. This means making sure that the building is **welcoming and accessible** and everyone can **see themselves reflected** in its stories.'

The Irish language has shaped this city in so many ways; our city derives its name from the Irish 'Béal Feirste' and the vast majority of our place names come from our native language. Additionally, the city is recognised internationally for the modern, community-driven revivalist efforts which the citizens of this city have been driving for our 50 years.

Therefore, this submission proposes the incorporation and celebration of the Irish language in this project through;

- (i) the development of an Irish language theme throughout the Belfast Stories project to ensure that members of the Irish language community have the opportunity to give their accounts and to share their stories of the language's fascinating history in the city and;
- (ii) the production and display of bilingual signage and resources (internally, externally and across the three main experiences of stories, screen and social) to ensure that this facility is accessible to all members of the Irish language community, as is clearly set out in the Council's own Equality and Diversity Framework priorities.

We have also provided an appendix which sets out the legislative and best practice models to be considered when developing services/policies of this nature.

Irish language as a central theme for Belfast Stories

As referenced above, the Irish language is currently undergoing a significant community-led revival. The roots of this modern revival can be traced back to the Shaw's Road area of West Belfast with the foundation of the country's first ever urban Gaeltacht, *Gaeltacht Bhóthar Seoighe [Shaw's Road Gaeltacht]* in 1969. From these humble seeds grew the entire infrastructure of the modern-day Irish-medium (IM hereafter) education system, which has spread throughout the City. Belfast is now home to 14 IM pre-school providers, 9 IM primary schools and 1 post-primary IM school. It is worth noting that this revival is not solely restricted to the confines of the classrooms; there too are a growing number of Irish language organisations, youth clubs, community groups, campaigns, media companies and sporting clubs across all sections of the community here in Belfast.

It is not, however, the first time that Belfast has led the way in the language revivalist movement. The Presbyterian revival of Irish in the 1700's is credited with saving many important historical manuscripts and keeping the language alive across Ulster. In the early twentieth century, the Gaelic League had very active branches across Belfast, attracting members from both the Orange Order and the Irish Republican Brotherhood, under the one revivalist banner. This rich history, coupled with the ongoing modern revival means that the Irish language is weaved into the fabric of our city and no 'Story' of Belfast would be complete without an account of these endeavours.

Recommendations for incorporating an Irish language theme in the Belfast Stories project

An Ghaeilge | The Irish Language

- **Celebration, History and Antiquities**
 - Robert Shipboy McAdam / the story of Cultúrlann Mac Adam Ó Fiaich
 - The Fadgies <https://www.youtube.com/watch?v=qI2xYTqTZVk>
- **Diversity**
 - Foundation of Conradh na Gaeilge's first branch in Belfast
- **Ná habair é, déan é! [Don't say it, do it!]**
 - The Shaw's Road Gaeltacht and burning of Bombay Street
- **Education**
 - Bunscoil Phobal Feirste and the growth of the IM education sector & Coláiste Feirste
- **Recognition**
 - An Cheathrú Ghaeltachta | the Gaeltacht Quarter and the community language sector across Belfast
- **Cross-community**
 - TURAS agus Iontaobhas Ultach
- **Irish language Campaigns in Belfast**
 - An Dream Dearg - An Lá Dearg

A bilingual approach

The recent 2021 Census results clearly indicate an encouraging growth in Irish across Belfast City Council area, with 51,583 people (15.46% of Belfast's population) indicating that they have some ability in Irish and 2,659 people (0.8%) indicating that Irish is their main language. Given the huge growth in Irish recently and the progress made by Belfast City Council to ensure the rights of Irish speakers are accommodated for through your Language Strategy, it is incumbent upon Belfast City Council to ensure that these rights are catered for in council projects through language visibility. To overlook the language rights of this growing and vibrant community, who have long campaigned for equality and respect, to access such an innovative and important resource through their native tongue would be doing a huge disservice to them, in breach of international and domestic treaty rights and would be contradicting the council's own Language Strategy (2018-2023) which among its other aims, sets out to;

- Initiate or expand facilities for the use of Irish;
- Increase the visibility of the Irish language and;
- Encourage tourism and cultural initiatives through Irish.

As is recognised in international guidance and standards, in treaties ratified by the British Government, language visibility is crucially important, particularly in the context of minority languages. The incorporation of Irish, alongside English, on signage and displays can assist in normalising the language, and will demonstrate to the Irish language community that they are welcome to use their language within council facilities. As well as this, research has consistently shown increased visibility leads to increased tolerance and understanding of those languages. Therefore, the incorporation of Irish on signage provides an opportunity for people to engage with the language in a neutral environment; this is something which should be welcomed, celebrated and incorporated throughout the development of the Belfast Stories project.

Despite this, it is worth noting that the Irish language itself, and indeed, the Irish language community have been, so far, completely omitted from the Belfast Stories concept. This comes in spite of a project focus on *'making sure that the building is welcoming and accessible and everyone can see themselves reflected in its stories.'* As far as can be seen from the consultation document, there is no representation from the Irish language community on the project's equity steering group. There is no reference to the Irish language or bilingual signage anywhere in the consultation document, despite a reference to the council's own Languages Strategy in the 'relevant research' section of the Equality Impact Assessment (EQIA).

None of the initial consultations were planned to be conducted through the medium of Irish to cater to the needs of Belfast's growing Irish language community. Coincidentally, it was only after we (Conradh na Gaeilge and Fís an Phobail) reached out to Belfast Stories relaying our desire to ensure that the Irish language was an integral part of the project that a consultation was organised. With that being said, the consultation being organised with the Irish language community still hasn't appeared on the consultation page on the Belfast Stories website, nor

has any information relating to the Irish language consultation appeared across any of Belfast City Council's social media channels.

This is not the first time that we, as a community, have expressed our concerns around the Irish language being no more than an afterthought within Belfast City Council. Earlier this year, Belfast City Council planned to open their brand new £2.8 million visitor centre in Belfast City Cemetery, a cemetery which is situated right in the heart of the Gaeltacht Quarter, which is recognised and supported by BCC. Despite representations from members of the Irish language community at the earliest stages of the facility's development regarding the need for the incorporation of Irish throughout the facility through bilingual internal and external signage and interactive displays, these concerns were ignored and the council decided to proceed with a monolingual 'English-only' approach. This decision was an insult to the local Irish language community and was widely condemned; that same community actively forced a reversal of this decision.

The facility's official opening was halted and the council are currently in the process of designing and printing all signs and displays in Irish, as was initially suggested by the Irish language community. Whilst it is concerning that the council have managed to totally overlook the Irish language in the Gaeltacht Quarter, an area that is officially recognised for its high concentration of Irish speakers, we wish to ensure that something like this does not happen again, and that shared spaces are exactly that; shared. That term is of little value if Irish is banned from public signage. From a wider perspective, it must also be accepted that including the rights of Irish speakers from the outset, through meaningful engagement and consultation, is more efficient and would ultimately save money in the longer terms as well as avoiding the unnecessary hostility which is created as a result of ignoring the rights of Irish speakers.

With that being said, it is a source of much relief that Belfast City Council have seemingly taken the lessons that were learned during the above experience and applied them elsewhere in the council area. Páirc Nua Chollann, the new £5.6 million park which is located on the Stewartstown Road in West Belfast, officially opened to the public on the 20th of October 2022. We (Conradh na Gaeilge and Fís an Phobail) were invited to visit the site to engage with a number of Council officers regarding the best way forward for the signage in the park, given that signs had not yet been erected because no consultation had yet taken place with the Irish language community. This is something that we warmly welcomed and following consultation with ourselves, along with representatives from the local Irish language community, officers pressed on us their commitment to ensuring that all signs in the park were bilingual. The significance of this should not be lost upon anyone; it means that local Irish-medium schools, youth organisations, organisations and families will have access to a state-of-the-art council-owned facility in their native tongue. Upon the erection of these bilingual signs, Páirc Nua Chollann will become a beacon of best practice, a marker against which all subsequent council parks and facilities can be measured against. Belfast Stories will be such a marker; we hope that the precedent being set by the Council in Páirc Nua Chollann represents a new area of proactive language promotion in Belfast City Council. We hope that such an approach will be extended to the Belfast Stories project.

Recommendations

Belfast City Council have an extremely unique opportunity here to demonstrate that this exciting new project is reflective of and accessible to all of those who call Belfast their home; they too have a serious opportunity to rectify their previous mistakes by ensuring that the Irish language is a central component throughout the development, design and completion of this project. We therefore are urging Belfast City Council to;

- Themes, such as those identified in Page 4, are included in the Belfast Stories project.
- Appoint members of the Irish language community on the project's equity steering group, given that all other minority groups across the city are represented. The impact of being unable to access such a magnificent resource in one's own language is something which should certainly be taken into consideration when evaluating those who may be at risk of missing out. This would ensure that equality, diversity and inclusion are truly at the heart of the Belfast Stories project.
- Gather stories from those who have direct experience, or specialist knowledge about the history of the Irish language across the city and to use this information in employing an Irish language theme throughout the project. The fascinating history of the Irish language in Belfast is something which should be celebrated and displayed, particularly in initiatives like Belfast Stories which aims to bring these endeavours to life.
- Ensure the display of bilingual signs, displays and interactive rolls across the entire Belfast Stories facility. This would demonstrate the Council taking a proactive, rather than a reactive, approach to Irish language promotion; the impact of this would be immense, as not only would the Council be fulfilling their duties under various international treaties, as well as their own Languages Strategy, but it would also prove transformational in making members of the Irish language community aware that they are welcome and represented in such a bespoke project.
- Develop and implement a language screening assessment on any new council policies, practices, projects, events and decision-making processes. This practice is already in place in Wales, whereby the Welsh Language Measure (2011) sets out that public authorities must comply with policy-making language standards that monitor the impact of the policy or decision on opportunities to use the Welsh language. Such a practice would prove extremely beneficial to the Irish language community in Belfast City Council as policies and decisions could be assessed as per the impact that they have on;

- (i) opportunities to use, see and hear the Irish language and;
- (ii) the Irish language community themselves.

It would also prove advantageous for Belfast City Council themselves, as it would once again demonstrate that the Council is committed to taking a proactive approach to Irish language promotion. Had this project undergone a comprehensive language screening assessment, the importance of language visibility, use and representation would have been flagged, and as a result, perhaps consultations with members of the Irish language community would have been organised and conducted in Irish by the Council without members of that community having to specifically request it.

Appendix 1

1.1 The European Charter for Regional and Minority Languages

The European Charter for Regional or Minority Languages (ECRML) is an international convention which aims to protect and promote traditional, historical, regional or minority languages of Europe. The British Government ratified the European Charter in March of 2001 and as such, recognised their obligations regarding Irish, which are outlined under part II and III of the Charter. The British Government signed up to thirty six undertakings for Irish to ensure, as far as is reasonably possible, that Irish is used in education, in the media, in administrative authorities, in economic and social life and in cultural activities.

Article 12 of the ECRML relates specifically to cultural activities and details the following obligations:-

- *With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:*
- *to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;*
- *to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing;*
- *to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;*
- *to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;*

The European Charter is based on a concept of non-discrimination, that is, the majority language group is not discriminated against by the implementation of actions designed to promote and protect the minority indigenous languages.

“The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. 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 considered to be an act of discrimination against the users of more widely-used languages.”

In order to fully comply with the above undertakings, local councils are obliged to actively incorporate and promote the Irish language within council services, policies and practices. These are obligations which have clearly been overlooked by Belfast City Council throughout the design and consultation phase of the Belfast Stories project.

1.2 Framework Convention for the Protection of National Minorities

Unlike the European Charter (which focuses on languages) the Council of Europe's Framework Convention for the Protection of National Minorities focuses on linguistic minority groups. Whilst there are no directly enforceable obligations on local councils under the Framework, there are a number of provisions in relation to minority languages.

The Framework Convention, to which the UK is a signatory, makes particular reference to the rights of minorities in terms of the use of minority languages. The relevant provisions are set out below:

Article 10

"The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities."

Article 11

The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public.

The Advisory Committee on the Framework Convention for the Protection of National Minorities monitors the compliance of signatory nations with the Framework. One of the themes commented on throughout their reporting is how the use of the minority language in publicly visible signage can add to a sense of belonging for the minority language community.

"Multilingual cultural and touristic signage offers considerable potential for the use of topographical names in minority languages as it uses these languages and toponyms in a field (heritage preservation) that is appreciated in all parts of society, raises awareness of the cultural contributions made by national minorities and has a practical function."

Bulgaria, 4th, 2020, para 141

"The display of bilingual signposts as a demonstration of the diverse character of the region, traditionally and at present."

Croatia, 4th, 2015, para 66

"Such bilingualism carries for persons belonging to national minorities as an affirmation of its presence as an appreciated and welcome part of society."

Latvia, 3rd, 2018, para 130

“The Advisory Committee recalls the important symbolic value of bilingual topographical indications as affirmation that the presence of linguistic diversity is appreciated and that a given territory is shared in harmony by various linguistic groups.”

Netherlands, 3rd, 2019, para 116

“...significant symbolic value for integration that bilingual or trilingual signposts, or the re-introduction of historical place names, carry for the population as an affirmation of the long-standing presence of national minorities as an appreciated and welcome part of society.”

Georgia, 2nd, 2015, para 85

The commentary above shows the positive impact of the use of minority languages in signage and how this can improve community relations and respect.

1.3 European Convention on Human Rights

The European Convention on Human Rights (ECHR) contains the following provision:

1. *The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.*
2. *No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.*

The ECHR clearly demonstrates that public authorities should not discriminate against or exclude individuals, nor should they interfere with the enjoyment of a right based on the grounds of language; the planned exclusion of Irish from the Belfast Stories project has immense potential to do so and as a result, members of the Irish language community will be at a significant disadvantage.

1.4 Belfast/Good Friday Agreement

Strand three of the Agreement contains a series of commitments in respect of economic, cultural and social issues, including a general provision relating to minority languages.

“All participants 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.”

The Agreement commits the British Government to take resolute action to promote the language, to facilitate and encourage the use of the language in speech and writing in public and private life and to seek to remove restrictions which would work against the maintenance and development of the language. There too is a commitment to liaise with the Irish language community, representing their views to public authorities. These are principles which have been largely ignored by Belfast City Council in the planning phase of the Belfast Stories project; there is no reference to the inclusion of bilingual (Irish/English) signage, no representation from the Irish language community on the project’s consultative forum to ensure that the resource is accessible to the Irish language community and no planned consultations organised by the council through the medium of Irish.

1.5 The St. Andrew's Agreement 2006

An 8 year delay in the fulfilment of the obligations outlined in the Good Friday Agreement preceded The St. Andrew's Agreement of 2006. This Agreement gave rise to a new commitment to legal provision for Irish; the British government promised to,

"...introduce an Irish Language Act reflecting on the experience of Wales and Ireland and work with the incoming Executive to enhance and protect the development of the Irish language."

The introduction of the Irish Language Act has been, and remains, significantly delayed, however the 2020 New Decade New Approach agreement does include a commitment to legislate for the Irish language.

1.6 Foras na Gaeilge Guidance Document - Irish languages services in the new councils

In light of the review of public administration, in 2014 Foras na Gaeilge published a guidance document for the new local councils relating to best-practice in Irish language provision and protection. The document suggests a number of areas of action in order for councils to be in line with international best practice. Amongst their recommendations, Foras na Gaeilge recommend that bilingual signage be installed at council facilities when there is an IM nursery school, an IM school or centre. This is certainly a recommendation which is applicable, and indeed, should be implemented across the Belfast Stories facility given the high number of IM pre-schools, schools and organisations right across the city.

Foras na Gaeilge also recommend the foundation of an Irish language community forum to discuss and assess the development of Irish across the council area; this recommendation is particularly applicable when considering the consultation process which has been carried out by Belfast City Council for the Belfast Stories project. Representation from the Irish language community in local council policy/service development etc...ensures that the Irish language community have the opportunity to have their voices heard, as well as assessing the potential challenges and opportunities which relate to language use and visibility in projects like these. We would strongly encourage Belfast City Council to take this recommendation on board not only in the particular circumstances of this project, but in all future projects to ensure that all minoritised groups are adequately represented.

1.7 New Decade New Approach 2020

The New Decade New Approach agreement was reached in January 2020 in an attempt to re-establish the institutions at Stormont. New Decade New Approach was the first agreement which officially recognised the Irish language in the north. The agreement stipulated that this would be done through;

"Legislation to create a Commissioner to recognise, support, protect and enhance the development of the Irish language in Northern Ireland and to provide official recognition of the status of the Irish Language in NI..."

The agreement set out that an Irish language Commissioner would be appointed, and that he/she would be responsible for the drafting of standards, and to prescribe these standards on public authorities, as per their level of engagement with the community. This is a practice which is already in place in Wales, and in drawing on their experience, we note that local councils are in the highest possible category (i.e they have the highest level of interaction with the community). At the time of writing (September 2022) the Identity and Language bill is currently being moved through Westminster and given that the Belfast Stories project has an expected date of completion for 2028, it is expected that the legislation will be enacted and implemented before then. It is therefore worth noting what language standards should look like, particularly those which relate to the specific circumstances of the Belfast Stories project, by drawing on the Welsh language model. Below are some examples of language standards which have been placed on Welsh local councils:

If you organise a public event, or fund at least 50% of a public event, you must ensure that the Welsh language is treated no less favourably than the English language at the event (for example, in relation to services offered to persons attending the event, in relation to signs displayed at the event and in relation to audio announcements made at the event).

Any material that you display in public must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than the English language version.

If you produce the following documents, and they are available to the public, you must produce them in Welsh - (a) policies, strategies, annual reports and corporate plans; (b) guidelines and codes of practice; (c) consultation papers

When you erect a new sign or renew a sign (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as you display corresponding English language text or on a separate sign); and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.

When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, the effects (whether positive or adverse) that the policy decision under consideration would have on - (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.

These are factors which certainly need to be considered throughout the duration of this project, particularly given the it's lengthy timeframe for completion. Belfast City Council have an opportunity to pre-empt the enactment of the Irish language legislation and to take progressive measures in promoting the language by giving it it's rightful place in this project, both visually and thematically.

1.8 Committee of Experts 5th Monitoring Report on UK Compliance with UK undertakings of ECRML

In July 2020, COMEX published their 5th monitoring report which measures the UK Government's compliance with their undertakings to Irish under the European Charter for Regional or Minority Language. They published 20 recommendations which would constitute the fulfilment of those undertakings in their entirety. Among those recommendations, there were recommendations to;

i. Introduce simultaneous translation facilitating the full use of Irish in the Northern Ireland Assembly and in local councils.

k. Facilitate the adoption and use, by local and regional authorities as well as public service providers, of place names in Irish.

r. Adopt and implement a strategy on cultural production and activities in Irish.

Whilst the vast majority of these recommendations remain unfulfilled or unresolved, through the proactive inclusion of the Irish language and the Irish language community in this project, the council has a real chance to align itself with the progressive recommendations of international experts.

1.9 Recommendations for an Irish Language Strategy - Report of the Expert Advisory Panel

The New Decade New Approach Agreement committed to the development of an Irish language strategy, separate from an Irish language act. This was not the first time that a strategy had been promised; the 2007 St. Andrew's Agreement Act placed 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 the 10th March 2016, despite the aforementioned commitment as well as other commitments set out in the Executive's Programme for Government 2011, the Executive voted against the Minister for Culture, Arts and Leisure's proposal to adopt the Irish language strategy.

On the 3rd March 2017, in a judicial review taken by Conradh na Gaeilge against the Executive, the High Court ruled that the Executive had failed to fulfil their statutory duty to adopt an Irish language strategy. An Irish language strategy was also contained within the Programme for Government 2021, but was never adopted. August 2022 saw a second declaration that the Executive remained "in breach" of Section 28D of NI Act, and were thus acting "unlawfully" by not adopting an Irish language strategy.

The Department for Communities commissioned an Expert Advisory Panel Report (EAPR) on an Irish language strategy as the first stage in a policy development process. The EAPR makes a range of recommendations about the Irish language and public services, the including:

- That local authorities develop Irish language policies and strategies;
- That local councils increase the visibility of the Irish language and actively publicise the Irish language services that they offer;
- That Irish speakers are available to avail of government services through the medium of Irish and that these should be of the same standard as the service provided in English;

- That all public authorities take resolute action to promote Irish internally in their work and to maximise the amount of services available through Irish;
- That Councils provide a simultaneous translation service and anything said in Irish in meetings is accurately reported in Irish in reports and minutes;
- That local authorities should have due regard to the needs of Irish speakers when developing local development plans;
- That local authorities undertake tourism and cultural initiatives through Irish;
- That the name of the body and any information provided on any signage used on the exterior of buildings used by the public body is in Irish and English and;
- That any sign used by a public body inside the building is in both Irish and English, with letters of equal size in both languages used;

1.10 Equality, Good Relations and Section 75

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). Irish being provided for in politically neutral environments like on signage, displays interactive tools will contribute to this and will assist in normalising attitudes towards the language..

Moreover, Belfast City Council, as a leading public institution, have a duty to promote good relations. It is worth noting that both the Equality Commission has updated their definition of good relations to include;

“Promoting good relations between different groups in society entails fostering mutual respect, understanding and integration while continuing to combat discrimination and intolerance.”

Whilst Irish has been identified as a matter of political controversy, this new definition demonstrates that the good relations duty should not be misinterpreted as a veto to halt progress on issues which are deemed to be politically controversial. Likewise, it should not be used to block equality and rights measures. Arguments in opposition to the visibility and use of Irish are often grounded in sectarianism, but this is rarely, if at all, alluded to in equality assessments of Irish language policies.

The supervisory body for the Council of Europe’s Framework Convention for National Minorities (FCNM) directly addressed the use of the ‘good relations’ duty in preventing positive action on the Irish language, singling out bilingual signage in particular. In 2011, the Advisory Committee on the Framework Convention for National Minorities reported:

“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.”

Therefore, rather than having Irish present on signage because it is deemed to be ‘controversial’, Belfast City Council should actively aim to eradicate these prejudices and tackle such discrimination and intolerance. It would be a clear dereliction of their duty to promote good relations and indeed, in breach of their own equality scheme if the same weight is given to oppositional arguments which are rooted in sectarianism and those which are based on best-practice and are supported by international experts.

Affording rights to a minority does not infringe or indeed impact upon the rights of the majority. Indeed, the supervisory body for the Council of Europe’s Framework Convention for National Minorities (FCNM) reaffirmed this when evaluating made observations as to how Good Relations has been previously misconstrued to prevent measures being taken to promote Irish. 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 treaty body directly addressed the use of the ‘good relations’ duty in preventing positive action on the Irish language, singling out bilingual signage. In 2011, the Advisory Committee on the Framework Convention for National Minorities:

“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.”

Furthermore, the equality assessment finds that the potential positive impact on dual language signage does not create an adverse negative impact on people with other political opinions. An ‘adverse impact’ essentially refers to something which immediately has or will lead to a discriminatory detriment to one or more groups of people. It has never been demonstrated how an approach to Irish language promotion which is consistent with ethos and recommendations of the ECRML framework could constitute an adverse impact on equality of opportunity.

