



**Equality Commission for
Northern Ireland**
Equality House
7 - 9 Shaftesbury Square
BELFAST
BT2 7DP

27 November 2012

Response Co-ordinator
Language Strategies Team
Department of Culture, Arts and
Leisure
Level 7
Causeway Exchange
1-7 Bedford Street
BT2 7EG

Dear Sir/Madam

Re: consultation on a *Strategy for Ulster Scots Language, Heritage and Culture*

The Equality Commission (the Commission) for Northern Ireland welcomes the opportunity to comment on the Department of Culture, Arts and Leisure's consultation on a *Strategy for Ulster Scots Language, Heritage and Culture*. As the Commission does not have direct jurisdiction on language issues, our response should be viewed within the context of the Commission's remit in relation to anti-discrimination legislation (including the Fair Employment and Treatment Order - FETO) and Section 75 of the Northern Ireland Act 1998. Further details on our remit are set out in Annex 1.

We note the aims of the proposed strategy to ensure the Ulster Scots language, heritage and culture can flourish and be shared and enjoyed; protect and support the development and learning of the Ulster Scots language, heritage and culture; and promote wider understanding and

recognition of the Ulster Scots language, heritage and culture. The Commission welcomes the comprehensive range of areas for action to protect, enhance and develop the Ulster Scots language, heritage and culture, set out in the draft Strategy, to include: Education; Media; Use of Language; Public Services; Culture.

The Commission recognises that minority language speakers are entitled to protection of their internationally recognised rights including those set out in the Council of Europe Charter for Regional and Minority Languages and the Framework Convention for the Protection of the Rights of National Minorities). We also acknowledge the references to language rights in the Belfast Agreement (1998), the Joint Declaration (2003) and the St. Andrews Agreement (2006).

The UK Government ratified the European Charter for Regional or Minority Languages in 2001, recognising obligations to protect and promote the Ulster Scots language, which has been accorded Part 2 status under the Charter which sets out objectives and principles in relation to regional and minority languages.

Following the St Andrews Agreement, the Northern Ireland Act 1998 was amended to include a provision (Section 28D) that the Executive Committee shall adopt strategies to enhance and protect the development of the Irish language and to enhance and develop the Ulster Scots language, heritage and culture.

The Commission understands that the Council of Europe's Committee of Ministers has recommended that the UK strengthen efforts to improve the position of Ulster Scots (Council of Europe, Recommendations of the Committee of Ministers RecChL (2007)², adopted 14 March 2007, recommendation 6). Furthermore, the Committee of Ministers, in relation to its 2008 conclusions further to the UK's examination under the Framework Convention for National Minorities, also called for "further support... for the Ulster Scots language, culture and heritage" (Council of Europe, Committee of Ministers Resolution CM/ResCMN (2008)⁷, adopted 9 July 2008, p 2).

The Convention's Advisory Committee had urged the Executive to adopt strategies "in accordance with the commitment expressed in the 2006 St Andrews Agreement" for Irish and Ulster-Scots "at the earliest opportunity" (Council of Europe, Advisory Committee on the Framework Convention,

Second Opinion on the United Kingdom, ACFC/OP/II(2007)003, adopted 6 June 2007, para 190).

The Commission therefore welcomes the publication of this draft Strategy and that issued in parallel for the Irish language, taken forward as part of the Northern Ireland Executive's commitment under the Programme for Government 2011-15 to deliver against the priority of 'Building a Strong and Shared Community'.

The Commission considers that the use of any language should be a neutral act and that the speaking of Ulster Scots or its more general use in the community should not diminish the entitlements of those whose right to their Irish identity is guaranteed in the Good Friday Agreement. Similarly, the Commission considers that the wider use of Irish should not in any way diminish the entitlements of those whose right to their Ulster Scots identity is similarly guaranteed. The speaking of any language in Northern Ireland should not be perceived as a threat to any individual or group, nor should it be intended in such a manner.

We look forward to any further public consultation(s) on detailed policy proposals by the Department in respect of the further development of Ulster Scots.

Yours sincerely

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Senior Policy Officer



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Annex 1

1. The Equality Commission for Northern Ireland (the Commission) is an independent public body established under the Northern Ireland Act 1998. The Commission is responsible for implementing the legislation on fair employment and treatment, sex discrimination and equal pay, race relations, sexual orientation, disability and age.
2. The Commission's remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998 (Section 75) and to promote positive attitudes towards disabled people and encourage participation by disabled people in public life under the Disability Discrimination Act 1995.
3. The Commission's general duties include:
 - working towards the elimination of discrimination;
 - promoting equality of opportunity and encouraging good practice;
 - promoting positive / affirmative action
 - promoting good relations between people of different racial groups;
 - overseeing the implementation and effectiveness of the statutory duty on relevant public authorities;
 - keeping the legislation under review;
 - promoting good relations between people of different religious belief and / or political opinion.
4. The Commission, with the Northern Ireland Human Rights Commission, has been designated under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) as the independent mechanism tasked with promoting, protecting and monitoring implementation of UNCRPD in Northern Ireland.