

## **CAJ's submission no. S380**

### **CAJ's Submission to Foras na Gaeilge on Public Consultation on the portfolio of draft Schemes proposed under the New Funding Model**

**April 2012**

### ***What is the CAJ?***

The Committee on the Administration of Justice (CAJ) was established in 1981 and is an independent non-governmental organisation affiliated to the International Federation of Human Rights. CAJ takes no position on the constitutional status of Northern Ireland and is firmly opposed to the use of violence for political ends. Its membership is drawn from across the community.

The Committee seeks to ensure the highest standards in the administration of justice in Northern Ireland by ensuring that the government complies with its responsibilities in international human rights law. The CAJ works closely with other domestic and international human rights groups such as Amnesty International, Human Rights First (formerly the Lawyers Committee for Human Rights) and Human Rights Watch and makes regular submissions to a number of United Nations and European bodies established to protect human rights.

CAJ's activities include - publishing reports, conducting research, holding conferences, campaigning locally and internationally, individual casework and providing legal advice. Its areas of work are extensive and include policing, emergency laws and the criminal justice system, equality and advocacy for a Bill of Rights.

CAJ however would not be in a position to do any of this work, without the financial help of its funders, individual donors and charitable trusts (since CAJ does not take government funding). We would like to take this opportunity to thank Atlantic Philanthropies, Barrow Cadbury Trust, Hilda Mullen Foundation, Joseph Rowntree Charitable Trust, Oak Foundation and UNISON. The organisation has been awarded several international human rights prizes, including the Reebok Human Rights Award and the Council of Europe Human Rights Prize.

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02 April 2012

A chara,

**Public Consultation on the portfolio of draft Schemes proposed under the New Funding Model**

CAJ is an independent human rights organisation with cross community membership in Northern Ireland and beyond. It was established in 1981 and lobbies and campaigns on a broad range of human rights issues. CAJ seeks to secure the highest standards in the administration of justice in Northern Ireland by ensuring that the Government complies with its obligations in international human rights law.

CAJ is conscious of the provisions of the Belfast/Good Friday Agreement to take resolute action to promote the Irish language and subsequent implementation treaty (Irish treaty series 2000 no 28, UK treaty no 51(2000) cm 4706) which sets out the role of *Foras na Gaeilge* as a primary vehicle for promoting the language, including the function of grant aiding bodies.

As well as general human rights principles, such as that of non-retrogression in realising economic, social and cultural rights CAJ is conscious of the specific duties under the European Charter for Regional and Minority Languages (ECRML) in relation to the Irish language. These include “the need for resolute action to promote regional or minority languages in order to safeguard them” (Article 7((1)(c)) and indeed in relation to policy with regard to the Irish language, duties that official bodies “shall take into consideration the needs and wishes expressed by the groups which use such languages” (Article 7(4)).

CAJ has experience of working alongside Irish language organisations who have taken human rights based approaches. We understand from these organisations that, in effect, the proposals would end sustainable core funding for Irish language organisations and replace this with short term project funding. Such a move would appear to be a serious retrogressive step in relation to the development of the Irish language. CAJ notes that a Council of Europe treaty body has already expressed concerns about the proposals:

The Advisory Committee is concerned by plans that have been under preparation since 2009 by the North South Ministerial Council relating to Northern Ireland to reconfigure core support for activities aimed at preserving and promoting the Irish language and culture, including funds distributed so far through the Irish Language Agency (*Foras na Gaeilge*) (Paragraph 77 Advisory Committee on the Framework Convention for National Minorities, Third Opinion on the UK, June 2011, ACFC/OP/III(2011)006).

The Council of Europe committee, in addition to calling for careful evaluation of budgetary cuts on the preservation and promotion of minority languages in close cooperation with representatives of groups concerned, also calls for the development and implementation, based on adequate needs analysis, of measures to promote Irish. This is in the context of one of only three “issues for immediate action” set out in the above Council of Europe report being:

Develop comprehensive legislation on the Irish language in Northern Ireland and take resolute measures to protect and implement more effectively the language rights of persons belonging to the Irish-speaking community (as above page 42).

It would seem in conflict with the Council of Europe’s recommendations to move forward and implement regardless the funding model it has already criticised, in particular in advance of the legislation and strategy for the Irish language committed to under the (UK-Ireland) St Andrews Agreement 2006 having been put in place.

Is mise le meas

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