NORTHERN IRELAND HUMAN RIGHTS COMMISSION

Submission to the Northern Ireland Assembly on the Irish-medium Education (Workforce Plan) Bill

November 2026

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1.0 Introduction

1.1 The Northern Ireland Human Rights Commission (NIHRC), pursuant to sections 69(1) and 69(4) of the Northern Ireland Act 1998, reviews the adequacy and effectiveness of law and practice relating to the protection of human rights in NI. The NIHRC is also required under, sections 78A(1), 78A(5) and 78A(6), to monitor the implementation of Article 2(1) of the Windsor Framework.[1] Windsor Framework Article 2 is given effect in UK law by section 7A of the EU (Withdrawal) Act 2018.

1.2 The Northern Ireland (Ministers, Elections and Petitions of Concern) Act 2022 amended the Northern Ireland Act 1998 following the New Decade New Approach Agreement ("NDNA"). This required the Standing Orders of the NI Assembly to be amended to make provision for the implementation of paragraph 2.2.7 NDNA, which allows for a 14-day consideration period, including consideration on conformity with the ECHR.[2] The NIHRC understands that the Standing Orders have recently been amended to provide for the 14-day consideration period; however, the new Standing Order 28 does not provide any additional process under which advice can be provided.

1.3 The NIHRC has not previously provided advice on the Irish-Medium Education (Workforce Plan) Bill (the "Bill"). Considering the tabling of a petition of concern, the NIHRC presents this advice to members of the NI Assembly under its existing statutory functions, pursuant to s.69(4) of the NI Act 1998.

1.4 The Commission bases its advice on the full range of internationally accepted human rights standards, including the European Convention on Human Rights (ECHR), as incorporated by the Human Rights Act 1998, and the treaty obligations of the Council of Europe (CoE) and United Nations (UN) systems. The relevant regional and international treaties in this context include:

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[1] The Windsor Framework was formerly known as the Protocol on Ireland/Northern Ireland to the UK-EU Withdrawal Agreement and all references to the Protocol in this document have been updated to reflect this change. *See* Decision No 1/2023 of the Joint Committee established by the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 laying down arrangements relating to the Windsor Framework.
[2] Section 42(6)(d), Northern Ireland Act 1998.

- CoE European Convention on Human Rights 1950 (ECHR);[3]
- UN International Covenant on Civil and Political Rights 1966 (UN ICCPR);[4]
- UN International Covenant on Economic, Social and Cultural Rights 1966 (UN ICESCR);[5]
- European Charter for Regional or Minority Languages 1992;[6]
- Framework Convention for the Protection of National Minorities 1993.[7]

2.0 Part 1: Irish-Medium Education (Workforce Plan) Bill

2.1 The Bill seeks to address "serious and persistent Irish-medium education (IME) sector workforce pressures, including shortages across teaching, classroom support, specialist and leadership roles".[8]

2.2 The Bill proposes amendments to the Education (Northern Ireland) Order 1998 to place an obligation on the Department of Education to publish a workforce plan in respect of Irish-medium education.[9] The plan should be developed in consultation with a number of bodies and take into account a number of key factors relating to the workforce.

2.3 The workplan is to be published within 12 months of the commencement of the Bill. Once published the plan should be laid before the NI Assembly. A report on its implementation should be published within 18 months of the plan being laid for the Assembly.

2.4 Concerns raised by MLAs, during the final stage debate on 11 November 2026, included the preferential treatment of one sector of the education system and that the Bill was not necessary given the activity of the Department of Education in respect of Irish-medium education.[10]

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[3] UK ratification 1951 and given further domestic effect by the Human Rights Act 1998.
[4] UK ratification 1976.
[5] UK ratification 1976.
[6] UK ratification 2001.
[7] UK ratification 1998.
[8] Irish-medium Education (Workforce Plan) Bill, Explanatory Memorandum, para 3.
[9] Irish-medium Education (Workforce Plan) Bill, Clause 1(3).
[10] Hansard, 'Official Report: Tuesday 10 November 2026'. Available at: Official Reports.

3.0 Part 2: Domestic legal and policy framework

3.1 The Irish language has been given official recognition of its status by section 2 of the Identity and Language (Northern Ireland) Act 2022. This is in addition to the existing official recognition of the status of Irish relating to Irish-medium education.[11]

3.2 Article 89(1) of the Education (NI) Order 1998 places a statutory duty on the Department of Education "to encourage and facilitate the development of Irish-medium education".

3.3 In 2025, the Education Minister introduced a pilot 'Teacher Education (ITE) Bursary Scheme' to tackle teacher shortages in critical subjects. The scheme commenced in September 2026 and will provide financial support to students training to teach in Irish-medium schools by covering tuition fees and, for some, living expenses.[12]

3.4 The Education Minister has previously advised the Northern Ireland Assembly that the Department of Education is developing a dedicated Irish-Medium Education Strategy and is currently engaging with stakeholders to produce an accompanying action plan.[13] The strategy will aim to support the sector's growth and long-term sustainability.[14]

3.5 In May 2026, the Department of Education published a new 'NI Strategy for Teacher Professional Learning', which acknowledges ongoing challenges in attracting a broad range of subject teachers to the Irish-medium sector and highlights the need to address this. It commits to undertaking a comprehensive review of Initial Teacher Education provision for the sector to inform future pathways and supports.[15]

3.6 An Irish Language Strategy, under section 28D of the Northern Ireland Act 1998, remains outstanding. There have been three judicial review

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[11] S.2(1) Identity and Language (Northern Ireland) Act 2022.
[12] Department of Education, 'Initial Teacher Education (ITE) Bursary Scheme'. Available at: Initial Teacher Education (ITE) Bursary Scheme | Department of Education.
[13] Northern Ireland Assembly Hansard, 'Written Question: Irish medium education strategy – Pat Sheehan MLA – AQW 45885/22-27, 12 May 2026; Northern Ireland Assembly Hansard, 'Written Question: Irish medium education – Emma Sheerin MLA – AQW 33639/22-27, 15 October 2025.
[14] Northern Ireland Assembly Hansard, 'Oral Question: Irish medium education in Belfast – Carál Ní Chuilín MLA – AQO 2445/22-27', 30 September 2025.
[15] Department of Education, 'Leading Together for Excellence: A TransformED NI Strategy for Teacher Professional Learning' (DoE, 2026), at 31.

applications by Conradh na Gaeilge, with the High Court finding on each occasion that the NI Executive Committee was in breach of its statutory duty under s.28D.[16]

4.0 Part 3: International human rights standards relevant to the Bill

4.1 Irish is considered a part II and part III language under the European Charter for Regional and Minority Languages ("the Charter"). Article 7(1)(f) requires that states provide appropriate means for the teaching and study of regional or minority languages at all appropriate stages.

4.2 Notably, the Charter states 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 account of their special conditions is not considered to be an act of discrimination".[17]

4.3 Article 8 of the Charter focuses on education and the requirement to make available education in the relevant language at primary, secondary, tertiary levels and also technical, vocational and adult and continuing education.

4.4 In its Sixth evaluation report on the United Kingdom, the Committee of Experts on the European Charter for Regional and Minority Languages ("COMEX") highlighted the lack of special needs support services in Irish and the absence of a targeted curriculum.[18] COMEX further identifies the lack of availability of teachers for Irish-medium education, particularly at secondary level and the high increase in demand for Irish-medium education.[19] It also highlights the absence of any long-term plan to address to insufficient numbers of Irish-medium teachers.[20]

4.5 As a consequence, the COMEX considers the obligations under Articles 7(1)(f) and 8 only partially fulfilled. It recommends, for immediate action, that the state "develop and implement a strategy for the recruitment of

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[16] *Re Conradgh na Gaeilge* [2017] NIQB 27; [2022] NIQB 56; and [2026] NIKB 44.
[17] The European Charter for Regional and Minority Languages, Article 7(2).
[18] Committee of Experts on the European Charter for Regional and Minority Languages, 'Sixth Evaluation Report on the United Kingdom', 19 June 2024, para 33.
[19] Ibid, para 40.
[20] Ibid, para 69

teachers in co-operation with speakers, including the training of teachers for children with special needs within the Irish medium education sector".[21]

4.6 COMEX also recommends the adoption of "long-term planning for Irish-medium education at all appropriate levels with a view to adequately meeting the increasing demand for it".[22]

4.7 The UK State Report for COMEX was due on 1 January 2026 but has not yet been submitted. The Commission published its mid-cycle report on compliance with the Charter in July 2026, highlighting concerns about the adequacy of resources in the Irish-medium teaching sector and the need to develop an education strategy.[23]

4.8 While the Charter requires the development of a strategy for the recruitment of teachers and long-term planning for Irish-medium education in order to discharge the obligation, it does not specify that this must be done through legislation.

4.9 The UN ICCPR protects the rights of linguistic minorities under Article 27. The UN Human Rights Committee confirmed that this, in conjunction with the right to non-discrimination under Article 26, may require positive measures to protect the identity, culture and language of a minority.[24] Such measure may constitute a legitimate difference in treatment if based on reasonable and objective criteria.[25]

4.10 The UN Committee on Economic Social and Cultural Rights has confirmed that the rights to education (Article 13) and the right to take part in cultural life (Article 15) under ICESCR are intrinsically linked.[26] The Committee recognises the right to take part includes access to "quality education and training with due regard for cultural identity".[27] It further highlights the State obligation to "take effective steps to ensure that there

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[21] Ibid, para 2.2.2, recommendation I(c).
[22] Ibid, para 2.2.2, recommendation II(e).
[23] NIHRC, 'Mid-cycle report for the sixth periodic examination of the United Kingdom', July 2026, para 5.14. Available at: Publication - Mid-cycle parallel submission to the Council of Europe Committee of Experts of the European Charter for Regional or Minority Languages for the sixth periodic examination of the UK | Northern Ireland Human Rights Commission.
[24] CCPR/C/21/Rev.1/Add.5, UN Human Rights Committee, 'General Comment No.23: Article 27 (Rights of Minorities)', 8 April 1994, para 6.2.
[25] Ibid.
[26] E/C.12/GC/21, Committee on Economic, Social and Cultural Rights, 'General Comment No.21: Right of everyone to take part in cultural life', 21 December 2009 para 2.
[27] Ibid, para 15(b).

is appropriate education" on the right to take part in cultural life.[28] In its Concluding Observations on the United Kingdom, the Committee has recommended that the State expedite the establishment of policies envisaged for the protection and promotion of the Irish language.[29]

4.11 An Irish Language Strategy or a dedicated Irish-Medium Education Strategy, as recently proposed by the Minister for Education to the NI Assembly, may also be suitable mechanisms for discharging the State's human rights obligations and statutory duty.

5.0 Recommendations

5.1 The Commission advises that the proposed Irish-Medium Education (Workforce Plan) Bill would effectively address the recommendations from the Committee of Experts on the Charter for Regional and Minority Languages to develop a strategy for the recruitment of teachers and long-term planning and the Committee on Economic, Social and Cultural rights' recommendation to expedite language policy. These would both require meaningful participation of Irish speakers. The Commission further notes the role of the Irish Language Commissioner to "enhance and protect the use of the Irish language".[30]

5.2 The Commission advises that if this Bill is not considered the appropriate mechanism for advancing long-term planning for the Irish-medium education workforce, the NI Assembly should assure itself that the Department of Education will comply with the COMEX and CESCR recommendations in fulfilment of its statutory duty to "encourage and facilitate the development of Irish-medium education" under the Education (NI) Order 1998.

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[28] Ibid, para 53.
[29] E/C.12/GBR/CO/7, Committee on Economic, Social and Cultural Rights, 'Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland', 12 March 2025, para 59(d).
[30] S.78L(1), Northern Ireland Act 1998 (as amended by s.2(1) Identity and Language (NI) Act 2022).

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