



scottish
refugee
council



Scottish Refugee Council
Consultation Response

National Language Strategy

Education Department
Scottish Executive

Response submitted by
Scottish Refugee Council

March 2007

About the consultation

The aim of the Scottish Executive's [Strategy for Scotland's Languages](#) is to celebrate and promote the rich diversity of languages spoken in Scotland; to raise the profile of these languages; to ensure that this rich heritage is recognised as a national resource; and to encourage people in Scotland to learn languages other than their own. The strategy is intended as a guide for policy makers and maps out the Executive's goals. The strategy is not designed as a framework for allocation of specific resources nor does it state specific outputs.

About Scottish Refugee Council

Scottish Refugee Council provides help and advice to those who have fled human rights abuses or other persecution in their homeland and now seek refuge in Scotland. We are a membership organisation that works independently and in partnership with others to provide support to refugees from arrival to settlement and integration into Scottish society. We campaign to ensure that the UK Government meets its international, legal and humanitarian obligations and to raise awareness of refugee issues. We are also an active member of the European Council on Refugees and Exiles (ECRE), a network of over 80 refugee-assisting organisations across Europe.

1. Introduction

- 1.1 Scottish Refugee Council welcomes the opportunity to give our comments to this draft strategy. We are happy for our responses to be made public and are happy to comment further on any of the issues we raise.
- 1.2 As an organisation advocating on behalf of asylum seekers and refugees in Scotland, our comments relate to the experiences and needs of this group. We have not attempted to answer each of the questions proposed in the consultation document but to relate our brief comments to each section in order.

2. General remarks

- 2.1 Scottish Refugee Council warmly welcomes this Strategy for Scotland's Languages and its aspirations and vision. We are pleased that the Scottish Executive is now working towards the commitment that it made in 2003 to develop such a strategy.¹
- 2.2 In particular, we wholeheartedly support the recognition that is given in the strategy to the welcome that those fleeing persecution have received in Scotland, the positive impact they have made and make to Scottish culture and society and the resources that the Scottish Executive has given to support initiatives to assist asylum seekers and refugees integrate into their local communities.
- 2.3 We also support the acknowledgment that the strategy pays to the importance of access to opportunities to develop fluency in English for people for whom this is not their first

¹ A Partnership for a Better Scotland: Partnership agreement, May 2003, p.43: "We will introduce a national language strategy to guide the development and support of Scotland's languages, including British Sign Language and ethnic community languages. We will give local authorities and other public bodies a responsibility to draw up a languages plan which reflects the communities they serve." <http://www.scotland.gov.uk/Resource/Doc/47095/0025772.pdf>

Scottish Refugee Council response to National Language Strategy

language. Many of those who seek sanctuary in Scotland speak little or no English and acquisition of English is a powerful vehicle for integration and social inclusion, allowing them to rebuild their lives and contribute meaningfully to life in Scotland.

- 2.4 We will continue to work with the Scottish Executive to develop and achieve the vision contained in the strategy.

3. Specific comments on the strategy

- 3.1 Whilst we support all of the rationales of the strategy on pages 5-6 of the document, we believe that an important rationale has been omitted, that is the right to use one's own language as a fundamental human right. International human rights law plays an important role in setting standards for linguistic rights and, especially, for the protection and promotion of the identity of linguistic minority groups. Such linguistic rights are laid down in various international human rights instruments to which the UK Government is party, for example, Articles 2, 14, 24, 26, 27 of the International Covenant on Civil and Political Rights². We believe that linking language with people's fundamental human rights goes beyond stating that languages should be "*valued and respected*". We recommend that a paragraph is included in the strategy describing linguistic rights and referencing international human rights law³.
- 3.2 Following from this, it should be noted that many people have been and continue to be persecuted because of their language. For example, the Anglophone minority in Cameroon⁴ or Azeri speaking community in Iran⁵. Refugees have fled such persecution and sought sanctuary in Scotland and been recognised under the 1951 UN Convention on Refugees⁶. Identification of such persecution promotes a sense of respect but also acknowledges another basic right, that of freedom of speech, a right intrinsically linked to any language spoken in Scotland.
- 3.3 On p.7, we welcome the commitment to ensuring provision of high-quality and accessible English for Speakers of Other Language (ESOL). We have contributed and supported the development of the Scottish Executive's original Scottish Refugee Integration Forum (SRIF) Action Plan (the outputs of which are discussed on p.12) which included requirements for ESOL provision as well as supporting the production of the new Action Plan which will form part of the Race Equality Strategy. In addition, we have been involved in developing the National ESOL strategy and we look forward to its publication. Both SRIF Action Plans have stressed the importance of integration initiatives for both asylum seekers and

² http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

³ UNESCO's MOST Clearing House website on Linguistic Rights provides an overview of the most important international legal instruments pertaining to linguistic rights: <http://www.unesco.org/most/ln1.htm>

⁴ For example see the Medical Foundation for Victims of Torture Report into torture in Cameroon http://www.asylumlaw.org/docs/cameroon/mfcvt02_cameroon.pdf

⁵ See Amnesty International article: <http://web.amnesty.org/library/Index/ENGMDE130202007>

⁶ Whilst persecution under linguistic grounds is not a separate category of the Convention, a claim on these grounds can be recognised under 'Nationality' or 'Membership of a Social Group'. See for example the Immigration and Nationality Directorates current Asylum Policy Instruction – Assessing the claim:

<http://www.ind.homeoffice.gov.uk/documents/asylumpolicyinstructions/apis/assessingtheclaim.pdf?view=Binary>

Scottish Refugee Council response to National Language Strategy

refugees, such as provision of ESOL, as vital factors in aiding their integration⁷ and ensuring effective community cohesion. While p12. discusses previous support for ESOL, we do not feel that the Executive's future commitment to providing ESOL to adult asylum seekers and refugees is wholly reflected or specified in the descriptors of 'Scottish residents', 'Fresh Talent' or 'in-migrants' in the ESOL section of the document on p.7 and we would like to see mention of their commitment to ensuring ESOL provision to these groups by specific reference.

- 3.4 In the ESOL section we believe it is important to state that proficiency in English (or Gaelic) is a requirement to apply for citizenship in the UK⁸.
- 3.5 We broadly support the creation of language plans as set out in p.15 of the draft strategy. We believe that they are an important step to ensure that public authorities in Scotland respect their statutory duty under the Race Relations (Amendment) Act 2000 to provide accessible information and services to different racial groups who do not have English as a first language.
- 3.6 We believe that to assist local authorities in the process of it would be very useful to have a national measure of Scotland's linguistic diversity. As there is no such data available, we proposed including a question on language in the 2011 census. We would refer the Executive to this.⁹
- 3.7 Scottish Refugee Council fully supports the Executive's One Scotland-Many Cultures campaign. Refugee Week, which we co-ordinate in Scotland, contributes to the objectives of the campaign by seeking to foster a better understanding of why people seek sanctuary in Scotland and tackling prejudice and discrimination. The Scottish Executive has financially supported Refugee Week in Scotland and we suggest that it is included in p.18 as an additional example of awareness raising projects.

4. How can we contribute to the success of the strategy

- 4.1 Below are some brief examples of where we contribute and will contribute to the success of the strategy:
- 4.2 Scottish Refugee Council is the main voluntary sector body in Scotland providing support to asylum seekers and refugees. We have extensive experience of delivering support and often complex information services to a wide variety of different language speakers. We work on the principles of accessibility, user consultation, gender sensitivity and quality. We

⁷ For example: "When we talk about the Scottish Refugee Integration Forum, we mean asylum seekers and refugees. Since the dispersal of asylum seekers began in 2000, Scotland has learned a great deal about how to make new arrivals feel welcome and integrate into our communities. My belief is that effective integration is beneficial not only for refugees, asylum seekers and their immediate communities, but for Scotland as a whole. Refugees and asylum seekers bring useful and sometimes rare skills and knowledge to Scotland. If they integrate successfully they can bring huge benefits to the whole of society." Malcolm Chisholm, Minister for Communities speaking during the Race Equality debate at the Scottish Parliament, Official Report 28 June 2006.

⁸ See <http://www.ind.homeoffice.gov.uk/applying/nationality/advice/bn7>

⁹ <http://www.scottishrefugeecouncil.org.uk/pub/consultations/Ethnicity>

Scottish Refugee Council response to National Language Strategy

are keen to share this experience both informally and by providing experienced based training to other key service providers.

- 4.3 We have been active both operationally and strategically to support the development of ESOL provision in Scotland and will continue in this role by actively participating in the relevant fora.
- 4.4 Our daily contact with refugees and the wide range of service providers we refer people to allows us to identify gaps in existing language provision, but also allows us to recognise and share good practice.

Contact: Gary Christie
Policy Officer
Scottish Refugee Council
Tel: 0141 248 9799
gary.christie@scottishrefugeecouncil.org.uk