
Resolution CM/ResCMN(2023)7 on the implementation of the Framework Convention for the Protection of National Minorities by the United Kingdom

*(Adopted by the Committee of Ministers on 12 July 2023
at the 1472nd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”),

Having regard to Resolution CM/Res(2019)49 of 11 December 2019 on the revised monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the applicable voting rule;¹

Having regard to the instrument of ratification deposited by the United Kingdom on 15 January 1998;

Recalling that the Government of the United Kingdom transmitted its state report in respect of the fifth monitoring cycle under the Framework Convention on 4 November 2021;

Having examined the Advisory Committee's fifth opinion on the United Kingdom adopted on 8 December 2022,

Adopts the following conclusions in respect of the United Kingdom:

The authorities are invited to take account of the observations and recommendations contained in the Advisory Committee's fifth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action:

1. take priority measures to address the accommodation needs of persons belonging to Gypsy, Roma and Traveller minorities, including through reverting to the pre-2015 definition of “Gypsy” for planning purposes in England, obliging local authorities to provide the sites they have identified through needs assessments, and continuing to work to increase the number of sites and pitches, both transit and permanent. The authorities should also reconsider the implications of the criminalisation of unauthorised sites and the seizure of property in light of the risk of forced assimilation this poses to the minorities;
2. develop and adopt in a timely manner a comprehensive, cross-sectoral national strategy for England to combat antigypsyism and anti-nomadism. This should also tackle inequalities faced, respectively, by Gypsies, Roma and Travellers, in close consultation with them and to have due regard to the needs of women, youth and the elderly from these communities;
3. take swift and effective measures to avoid any discriminatory effect of the Nationality and Borders Act and the Police, Crime, Sentencing and Courts Act for persons belonging to national minorities;

¹ On 17 September 1997, the Committee of Ministers adopted decision CM/Del/Dec(97)601/4.5, which provides: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

4. increase the share of pupils and students attending integrated schools, and seek to actively motivate parents and provide incentives for pupils and students studying in such schools, with a view to creating a fully integrated education system in Northern Ireland;
5. intensify efforts to develop and increase the offer and support to Irish-medium education in Northern Ireland, including for children with special educational needs, and Gaelic-medium education in areas traditionally inhabited by persons belonging to the Gaelic-speaking minority in Scotland; include Cornish in the curriculum and adequately fund Cornish organisations providing minority language education, teacher training or developing quality educational materials in Cornish;

Further recommendations:²

6. effectively guarantee to persons belonging to national minorities the right to equality before the law by adopting comprehensive equality legislation for Northern Ireland and by harmonising protection across the UK. Review the Northern Ireland Race Equality Strategy 2015-2025 in close consultation with minority representatives to ensure it is adequately funded, outcome focused and tailored to the needs of the minorities. Authorities should also draw-up a strategy to combat antigypsyism for Northern Ireland. Complete the process allowing for the collection of disaggregated data on the ground of “race”, including for Roma and Irish Travellers, in order to design and implement targeted policies promoting their full and effective equality;
7. provide baseline, as well as specific multi-annual funding, through a dedicated funding mechanism for national minorities. Within such a mechanism, representatives of the respective communities should be able to actively take part in the decision-making process, to support their cultures and languages and identities. Ensure sufficient, regular, earmarked baseline funding for the support and the promotion of Cornish language and culture;
8. actively promote a climate of mutual respect and intercultural dialogue, and condemn instances of hate speech made in public and political discourse. In particular, the authorities should launch targeted campaigns addressing society as a whole combating antigypsyism, including anti-nomadism, as well as anti-Muslim hatred and antisemitism; actively engage with media outlets and social media platforms to take steps to combat negative stereotyping and to ensure a balanced portrayal of persons belonging to national minorities;
9. review, in meaningful consultation with civil society, proposals made in the Northern Ireland Troubles (Legacy and Reconciliation) Bill with a view to substantively promoting intercultural dialogue and reconciliation. The authorities should take steps to promote intercultural dialogue in Northern Ireland, effectively counter paramilitarism and actively work to foster integration of society as a whole;
10. ensure that the future BBC Charter and future Framework Agreement include provision for the support and promotion of minority language media, especially Cornish and Scots. Further efforts should be made to broadcast minority language programmes on mainstream television, as well as programmes about Black, Asian, ethnic minorities, including Gypsy, Roma and Traveller cultures, traditions and history;
11. ensure the implementation of the Identity and Language (Northern Ireland) Act, and work with representatives of the Irish-speaking community to further develop Irish language policy in Northern Ireland. The authorities should also consider revising the Act in consultation with the Ulster Scots minority representatives to address the conflation of Ulster Scots and Ulster British identities;
12. ensure the representation of minorities across curricula in the UK, as well as in teaching and learning materials and teacher training, with special attention also paid to the culture, history, traditions and identities of Gypsies, Roma and Travellers, in co-operation with persons belonging to national minorities;
13. take priority measures to tackle racist bullying in schools, in particular against Gypsies, Roma and Travellers, including through making recording instances of racist bullying mandatory in schools in Great Britain, adding ethnic identifiers on such recording in Northern Ireland, strengthening mechanisms and remedies in cases of racist bullying, and collecting data disaggregated by gender, geographical location and ethnicity on absenteeism. More targeted measures are needed to improve outcomes for persons belonging to minorities and positive measures are required to facilitate the itinerant way of life whilst still ensuring access to education;

² The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

14. devolve the appropriate powers to Cornwall Council to ensure effective implementation of the Framework Convention at local level, and establish a permanent consultation forum with Cornwall Council on this and other issues of importance to persons belonging to the Cornish national minority; work with Cornwall Council to address the housing crisis affecting persons belonging to the Cornish national minority, and collaborate with devolved administrations to tackle this problem in areas of concern;
15. promote further in Scotland, through a dedicated long-term plan, the socio-economic development of islands, remote or rural areas inhabited by Gaelic-speaking communities, with the direct participation of minority representatives from those communities;
16. ensure effective access to healthcare and a healthy standard of living for persons belonging to national minorities, in particular Gypsies, Roma and Travellers. Further data gathering in partnership with them should be carried out, with a view to designing long term gender-sensitive measures to address health inequalities. In Northern Ireland, adequate measures in response to the All-Ireland Traveller Health Survey should be designed.