



COUNCIL OF EUROPE      CONSEIL DE L'EUROPE

Committee of Ministers  
Comité des Ministres

**Resolution CM/ResCMN(2008)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 9 July 2008  
at the 1032nd 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 (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;<sup>1</sup>

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

Recalling that the Government of the United Kingdom transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 22 February 2007;

Having examined the Advisory Committee's second opinion on the United Kingdom adopted on 6 June 2007, and the written comments of the Government of the United Kingdom, received on 26 October 2007;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of the United Kingdom:

a) Positive developments

Since the adoption of the Advisory Committee's first opinion in November 2001, the authorities of the United Kingdom have introduced a number of measures which have improved the implementation of the Framework Convention.

Great Britain and Northern Ireland's legislation on racial equality has been strengthened in a number of ways and new legislation, protecting individuals from religious discrimination, has been introduced in Great Britain. Provisions for tackling religiously aggravated incidents have come into force and a new offence of incitement to religious hatred has been created with effect in England and Wales.

Public authorities throughout the United Kingdom have taken steps to strengthen equal opportunities in their recruitment practices and functions. In England in particular, public authorities and schools have made commendable efforts to collect data on the situation of minority groups.

Following the St Andrews Agreement in October 2006, an important power-sharing agreement was reached in May 2007, notably between Northern Ireland's leading nationalist and unionist parties, marking the resumption of Northern Ireland's devolved government, established in 1998 under the historic Belfast (Good Friday) Agreement.

The authorities of Northern Ireland are working on proposals for the implementation of the “Shared Future” strategy aimed at facilitating mutual respect, understanding and co-operation between all the communities living in Northern Ireland.

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<sup>1</sup> In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “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”.

New legislation has been adopted in England and Wales aimed at improving the availability of authorised sites for Gypsies and Travellers living in caravans.

The Scottish Executive has taken important steps to enhance the preservation and development of Gaelic in Scotland, following the positive example of the Welsh Assembly Government's language policies in Wales. The entry into force of Scotland's Gaelic Language Act in 2005 is particularly noteworthy.

The government's commitments, enshrined in the St Andrews Agreement of 2006 regarding Irish and Ulster Scots languages together with the related commitment of the Northern Ireland Executive to adopt a strategy to enhance, protect and develop the Irish and Ulster Scots languages in Northern Ireland are welcome developments.

#### b) Issues of concern

Notwithstanding the efforts made to strengthen the United Kingdom's equality legislation, persons from some minority ethnic communities continue to face greater difficulties than the majority population in their access to public services and employment.

While noting the particular challenge in collecting meaningful disaggregated data relating to small population groups, a shortage of data on the situation of persons belonging to minority ethnic communities in Northern Ireland, Scotland and Wales hampers efforts to combat discrimination and promote racial equality in these jurisdictions.

In spite of efforts made to ensure equal access to education, a number of problems remain in this area, including lower achievement levels and higher exclusion rates among persons belonging to certain minority ethnic communities.

Hostility among some people within the local population and the resistance of certain local authorities to improving the availability of authorised sites have contributed to the fact that a number of Gypsies and Travellers continue to live on unauthorised sites and may face eviction orders.

Negative and inaccurate reporting by certain sections of the media on issues relating to certain minorities, in particular Gypsies and Travellers, asylum-seekers, migrant workers and Muslims, is contributing to hostile attitudes towards these groups. There has been an increase in reported racist and religiously aggravated incidents in different parts of the country.

Although important measures have been taken to combat discrimination in the conduct of law-enforcement officials, persons belonging to certain minority ethnic communities continue to be disproportionately stopped and searched by the police. Despite the existence of common law principles in this field, there is still no specific legislation prohibiting incitement to religious hatred in Scotland.

Notwithstanding the government's active efforts to promote integration between Protestants and Catholics and the long-term nature of the problem, housing estates and schools in Northern Ireland still tend to be split along sectarian lines.

Possibilities for using Gaelic in communications with administrative authorities are not sufficiently publicised and are not always guaranteed. While the provision of Gaelic-medium education has increased, it is still not sufficient to meet existing demand. The Scots language should receive greater recognition and support from the Scottish authorities.

In Northern Ireland, there is a lack of clarity regarding the language rights of Irish speakers and further support is required for the Ulster Scots language, culture and heritage.

The presence of persons belonging to minority ethnic communities in elected bodies remains low. Some representatives of minority ethnic community organisations consider that public consultations organised by the authorities are not always effective, and do not engage with the full spectrum of opinions.

2. Adopts the following recommendations in respect of the United Kingdom:

In addition to the measures to be taken to implement the detailed recommendations contained in sections I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- ensure that public authorities adopt a more determined approach to combating discrimination and promoting equal opportunities, including in their functions and in their employment practices;
- pursue further efforts to collect data on the situation of persons belonging to minorities in Northern Ireland, Scotland and Wales;
- step up efforts to support schools to mainstream equality and diversity issues throughout the curriculum; encourage the media to pursue further its actions aimed at raising awareness of and interest in the United Kingdom's multicultural and multilingual society;
- take the necessary steps to address the accommodation needs of Gypsies and Travellers, in consultation with the persons concerned; provide Gypsies and Travellers with adequate access to support in securing the legal protection of their rights;
- continue to direct resources to identifying and prosecuting hate crime; introduce a statutory prohibition on incitement to religious hatred in Scotland; review the use of stop and search powers to ensure that they do not discriminate directly or indirectly against persons belonging to minorities;
- intensify efforts to promote awareness, among the two main communities in Northern Ireland, of the benefits of a more tolerant and inclusive approach especially in relation to shared housing and integrated education;
- pursue further existing initiatives to protect and enhance the development of the languages and cultures of the peoples of Wales, Scotland and Northern Ireland;
- identify further ways of encouraging full participation of persons belonging to minority ethnic communities in elected bodies; step up meaningful dialogue with the broadest possible spectrum of representatives of minority ethnic communities, both at national and local levels.

3. Invites the Government of the United Kingdom, in accordance with Resolution (97)10:

- a. to continue the dialogue in progress with the Advisory Committee;
- b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in sections 1 and 2 above.