

COUNCIL OF EUROPE
COMMITTEE OF MINISTERS

**Resolution ResCMN(2002)9
on the implementation of the Framework Convention for the Protection of National
Minorities by the United Kingdom**

*(Adopted by the Committee of Ministers on 13 June 2002
at the 799th 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”), and sitting in the presence of a non-member state Party¹,

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 in particular rule 39² of Resolution (97) 10;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10³;

Bearing in mind 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 first monitoring cycle under the Framework Convention on 26 July 1999;

Whereas the Advisory Committee accepted the invitation of the Government of the United Kingdom to send a delegation to gather further information in the United Kingdom; this visit taking place from 4 June to 8 June 2001;

Whereas the Advisory Committee’s opinion on the implementation of the Framework Convention by the United Kingdom was adopted on 30 November 2001 and then transmitted to the Permanent Representative of the United Kingdom and communicated to the permanent representatives of all member states and to the representatives of non-member states Parties as document [CM\(2002\)2](#) and subsequently made public by the United Kingdom Government;

Whereas the Government of the United Kingdom submitted its written comments on the opinion of the Advisory Committee within the time-limit of four months following the communication of the said opinion, these written comments having been communicated to the delegations of all member states and one non-member state Party as an addendum to document [CM\(2002\)2](#) dated 13 May 2002;

Having examined the Advisory Committee’s opinion and the written comments of the Government of the United Kingdom;

Having also taken note of comments by other governments,

1. Adopts the following conclusions concerning the implementation of the Framework Convention by the United Kingdom:

- The United Kingdom has made particularly commendable efforts in opening up the personal scope of the Convention to a wide range of minorities. Furthermore, commendable efforts have been made to establish a legal and institutional framework for the protection of national minorities through the application of the Race Relations Act (1976) and its Amendment Act (2000).

- Valuable efforts have been made to tackle institutional racism in British institutions generally, however further efforts are required to keep up the momentum in dealing with this issue, in particular by the police in areas such as the recording of racist incidents, the fair use of “stop and search” and the recruitment and retention of persons from ethnic minorities.

- Further efforts are required to reduce the levels of unemployment of persons belonging to certain national minorities and also to tackle school exclusion and academic achievement levels.

- Commendable efforts have been made through the devolution process in Scotland, Wales and Northern Ireland, to create the conditions necessary for persons belonging to national minorities to participate effectively in affairs concerning them. Devolution has brought with it increasing awareness and demand for recognition of the identity and in particular the language of national minorities, for which there remains scope for further protection, notably concerning the use of Irish.

- Despite some commendable efforts, the implementation of the Framework Convention has not been fully successful as concerns Roma / Gypsies and Irish Travellers, *inter alia*, due to the lack of adequate stopping places as well as the significant socio-economic differences, and differences in educational levels, between Roma / Gypsies and Irish Travellers and the remaining population.

- Further consideration should be given to the development of comprehensive legislation providing persons belonging to national minorities with protection against religious discrimination, including a reform of the blasphemy laws.

2. Recommends that the United Kingdom take appropriate account of the conclusions set out in section 1 above, together with the various comments in the Advisory Committee’s opinion.

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 section 1 and 2 above.

Note ¹ The Federal Republic of Yugoslavia

Note ² According to Rule 39 of Resolution (97) 10, “the Committee of Ministers shall invite a representative from each non-member Party to attend the meetings of the Committee of Ministers whenever it exercises its functions under the Framework Convention, without the right to participate in the adoption of decisions”.

Note ³ 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”.