

The Framework Convention and the Cornish People

Framework Convention Newsletter No. 1

March 2017

Recent developments have put matters of Cornish identity and culture in the news. This e-newsletter will provide information and links to further reading about the Framework Convention for the Protection of National Minorities and the Cornish people.



Advisory Committee Opinion

Framework Convention Opinion on UK Published

The Cornish people have been included under the Framework Convention for the Protection of National Minorities (FCNM) since April 2014.

The Framework Convention has a supervisory mechanism with a cycle of reports and monitoring procedures.

The Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities has just published its Fourth Opinion on the United Kingdom together with the UK government comments.

26% of all the recommendations focus on matters relating to the Cornish as the Advisory Committee wanted to establish the Cornish within the reporting structures provided by the Council of Europe and to encourage central

- The Advisory Committee calls on the authorities to take all the legal, policy, and financial steps necessary to ensure access to the rights provided by the Framework Convention to persons belonging to the Cornish minority, irrespective of any constitutional set-up.
- The Advisory Committee calls on the authorities to take the necessary measures to include the possibility to self-identify as Cornish, through a 'tick-box' in the next census, and to facilitate the expression of self-identification of any other group because data collection is relevant to the application of minority rights.
- The Advisory Committee also calls on the authorities to engage in a dialogue with representatives of the Cornish minority to ensure that cultural policy is developed in a way respectful of the traditions and

culture and identity.

The Opinion states:
"The recognition of the Cornish minority in 2014 is an important step in acknowledging the unique identity, culture, language and traditions of the Cornish people. This should now be nurtured by the adequate policy and financial steps necessary to ensure that persons belonging to the Cornish minority have access to the rights protected by the Framework Convention."

[The full Opinion can be read here](#)

The Government has produced a 23 page Comment but has not responded to the majority of the Advisory Committee Recommendations.

[The Government Comments can be read here](#) Page 19 refers to the Cornish language and culture

Recommendations made by

- The Advisory Committee calls on the authorities to take measures to improve the use and visibility of Cornish in public life, and it calls on the UK Government to reinstate immediately the previous level of funding and to consider the possibility of adopting a Cornish Language Act.
- The Advisory Committee urges the authorities to ensure that any administrative and constituency border reform follows an inclusive process, which takes into account the presence of persons belonging to a national minority in the territory, their meaningful participation and respect for their rights.
- The authorities should take resolute action to ensure that revision of the BBC Charter improves access to the media for persons belonging to national and ethnic minorities and introduces BBC

Committee

- Take all necessary steps to ensure access to the linguistic and cultural rights provided by the Framework Convention to the Cornish minority, in particular by reconsidering the decision to cut all funding for the Cornish language in view of the disproportionate impact such a measure will have on the delicate process of revitalising a minority language when access to other public financial resources is limited.
- Engage in a dialogue with the Cornish minority to ensure that cultural policies are developed in a way respectful of the traditions and the identity of the minority; improve the use and visibility of Cornish in public life at the local level and consider flexible and pragmatic solutions to allow more systematic provision of language.
- The authorities should also engage in a dialogue with the Cornish minority to consider flexible and pragmatic solutions to allow for a more systematic provision of teaching in and of the Cornish language, as well as taking measures to develop the teaching of minorities' first language.
- The UK Government should establish permanent ongoing dialogue with Cornwall Council and the Cornish people

language and of the Cornish
culture



Penzance Conference

"The FCNM, the European Charter and the Cornish Language"

A successful and productive conference took place in Penzance on 25th March 2017 as part of the Penzance Cornish Language Festival organised by the

European Charter and the Cornish Language".

The keynote speaker was Prof. Dr. Tove Malloy (pictured above). Professor Malloy is the Director of the European Centre for Minority Issues and a member of the Advisory Committee to the Council of Europe and chaired the group of experts during their monitoring visit to Truro last year.

Presentations

Prof. Dr Tove Malloy - 'The Framework Convention for the Protection of National Minorities and the Cornish people'

Gail Bishop - Cornwall Council Equality Lead - 'Cornwall Council's commitment to the Framework Convention for the Protection of National Minorities'

Andrew George - 'Being distinctive without building walls'

Dr Merv Davey (Grand Bard) - 'Piw a byw an yeth ma'

Merryn Davies-Deacon - 'Breton and the ECRML'

Mark Trevethan - Cornwall Council Cornish Language Lead - 'Developing the Cornish Language'

Dr Bernard Deacon (given by Merryn Davies-Deacon) - 'Cornish Solidarity'

Angela Angove - 'A Survey of Redruth Businesses on their Understanding of the Framework Convention' –

Dr Alan Kent - 'An Chalynj a vos Dybarow: Lien ha Gwaryva in Kernowek i'n Bledhydnyow usy ow tos' 'Daring to be Different: Futures for Literature and Theatre in Cornish'

Sarah Tresidder - 'The Framework Convention for the Protection of National Minorities and Me'

Jane Howells - 'The FCNM - Legal Instrument and Political Tool'

we start with Dr Bernard Deacon's presentation:

["Cornish Solidarity: the Cornish Movement and the future of Cornishness"](#)



Cornwall Council welcomes Council of Europe Opinion

Cornwall Council responded quickly to the Advisory Committee's Opinion and the accompanying Government comments. The following is a shortened version, [the full press release can be read here](#)

"We welcome the findings of the report from the Council of Europe which recognises the importance of Cornwall's unique culture and heritage and sets out a series of clear recommendations for the UK Government on how to meet its legal obligations to protect Cornwall's cultural identity.

The Opinion Report raises serious concerns over the way in which the UK Government is currently meeting its legal obligations, particularly with regard to support for the Cornish language, and calls on the Government to take all necessary steps to ensure access to the linguistic, cultural and human rights provided by the Framework Convention to the Cornish minority.

The Opinion Report sets out a number of specific recommendations related to Cornwall, the majority of which we have already been pursuing with the UK Government and other national bodies. These include calling on the Government to review its decision to cut funding for the Cornish language, and taking action to include a Cornish tick-box in the next census and revise the BBC Charter to include the Cornish language in the list of minority languages.

Although the Government's Response does comment on a small number of the issues raised by the Council of Europe, it fails to address the majority of its recommendations. We note the Government's previous comment on the creation of the Cornish Culture Fund and the offer to work with the Council and partners to build on the devolution deal. However, while we welcome the announcement of funding to help promote Cornwall's cultural distinctiveness over the next two years, we are very disappointed with the small amount of funding they are providing.

Cornwall Council is committed to ensuring the Cornish can access the linguistic and cultural rights accorded by the Framework Convention."

[Click to read the text of the Framework Convention for the Protection of National Minorities](#)



**Letter from Cornwall Council to Sajid Javid MP Secretary of State
Department of Communities & Local Government**

Date: 17 March 2017

Dear Secretary of State

Thank you for sharing some sections relating to the Cornish from the Council of Europe's Fourth Opinion and for providing us with the UK Government's commentary in advance of the publication on 8 March 2017.

Cornwall Council absolutely supports the ongoing commitment to the Framework Convention for the Protection of National Minorities as it relates to the Cornish. Over the past 18 months, the Cornish Minority Working Group (comprising of officers, Cornwall Councillors and Bards from Gorsedh Kernow) have worked hard to outline what the Framework Convention means in practice

It is disappointing that the UK Government commentary fails to consider any wider implications of national minority status for the Cornish other than the Cornish Language. This is the first Opinion since recognition of the Cornish in 2014 and, as one would expect, the Advisory Council discuss many issues that relate to the Cornish, but the UK commentary fails to mention or respond to the recommendations with regard to the Cornish, or to specify what measures the UK has put in place since recognition. The attached appendix identifies those recommendations of significant importance that the Government has failed to address its response which we will separately be following up.

We believe that the lack of recognition of the Cornish within the UK Government's commentary could be seen as indicative of a lack of commitment to deliver on the objective of the Framework Convention for the Protection of National Minorities the continued misunderstanding and lack of awareness by the UK Government of the Cornish and the issues that they face as a national minority.

In your letter dated 13 January 2017 you referred to the Opinion having been shared with devolved administrations. As you know Cornwall does not have a devolved administration and is thus at an unequal disadvantage in considering the sort of matters you referred to as 'legislative and policy'. In order to address this inadequacy in arrangements for the Cornish national minority we request that you need to appoint a senior civil servant at Director level or a relevant Minister 'champion' for the Cornish who is able to go between the national minority and HMG to ensure that access is provided to the Cornish national minority equal to that of the other national minorities with roots in traditional territories.

dialogue to take place between authorities and the UK Government. Recommendation 137 sets out the establishment of 'permanent ongoing dialogue with Cornwall Council and the Cornish people through consultative and advisory mechanisms'. In addition to this you stated within your letter dated 13 January 2017 that your department is keen to work with us and our partners to encourage the further development of Cornish culture and heritage, including support for the Cornish language. The designation of a Director Champion with responsibility for the Cornish as a minority group would enable you to fulfil this commitment.

Whilst we recognise that Cornwall Council has more work to do, with better working relationships and a senior DCLG (or independent) champion formalising the ongoing relationship, we believe that we could collectively provide the direction and means to implement recognition to ensure the Cornish have full and equal access to the rights afforded to them by the Framework Convention. Cornwall Council letter to the Council of Europe [Read more](#)

[Cornwall Council letter to the Council of Europe](#)



Devonwall

The Advisory Committee Opinion voiced its concern about “the proposed new electoral boundaries that would establish one constituency comprising parts of Cornwall and parts of Devon, which would potentially affect the rights of persons belonging to the Cornish minority. While the Advisory Committee realises that this process is a UK process and a concern in many other constituencies across the country, it wishes to draw the attention of the UK Government to the fact that Article 16 prohibits restricting the enjoyment of the rights of the Framework Convention in connection with the redrawing of borders. It also notes that the Venice Commission in 2005 established that electoral districts (their number, size, form and magnitude) may be designed with the purpose of enhancing minorities’ participation in the decision-making process.”

Current Situation

Many people in Cornwall as well as town and parish councils and Cornwall Council provided evidence to the Boundary Commission, opposing the Devonwall proposals. The second public consultation by the Boundary has begun and is open until the 27 March 2017.

In this current round of consultation the Boundary Commission is collecting views on the comments made during the first round. There were a large number of representations from Cornwall and they can be seen here:

[Videos of the two Public Hearing Days held in Truro](#) in November 2016 have just been released



Article 16

Article 16 of the Framework Convention includes the provision "The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities"

The Opinion expresses concern about the impact on the Cornish:

"The Advisory Committee reminds the UK Government that Article 16 aims to protect national and ethnic minorities against measures that change the proportion of the population in areas inhabited by persons belonging to national minorities, including but not limited to expropriations, evictions and expulsions." p46 4th Op United Kingdom

In this, the Advisory Committee took into account the large number of representations sent to the Council of Europe from Cornwall voicing concern about

- levels of over-development in Cornwall
- the Local Plan and other planning processes

Charter for Cornwall

The Charter for Cornwall is a campaign "to increase community-level influence over the future of our land."

The Charter has four principles, which are:

- 1) Protect our Cornish heritage
- 2) Provide genuinely affordable housing
- 3) Put limits on second homes
- 4) Plan for Cornish communities, not developers' profits

[Click this link for more information about the Charter for Cornwall](#)

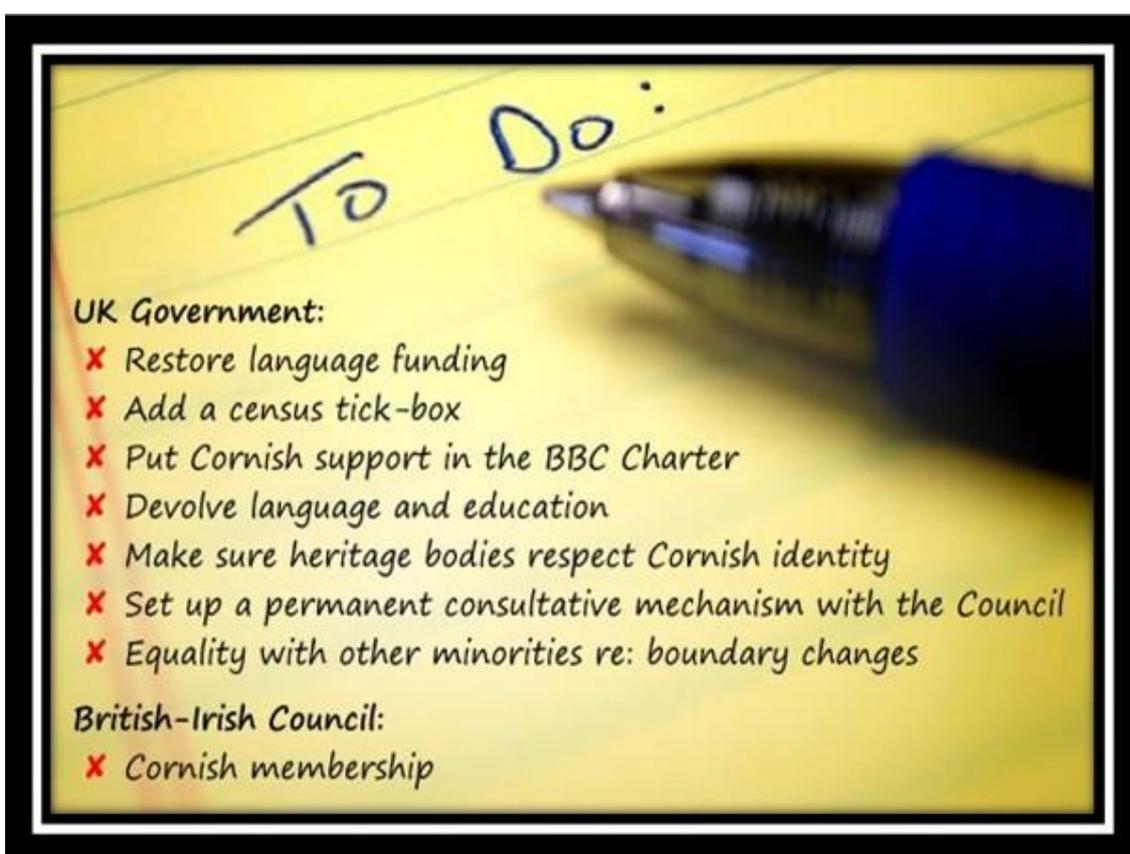


Background Information

The Cornish were recognised as a National Minority, protected under the Framework Convention for the Protection of National Minorities in April 2014, affording the same status to the Cornish under the FCNM as the UK's other Celtic people, the Scots, the Welsh and the Irish. The then Communities Minister Stephen Williams said:

"This is a great day for the people of Cornwall who have long campaigned for the distinctiveness and identity of the Cornish people."

Welsh are the oldest peoples on this island."





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