



30 August 2019.

Ireland Collective Civil Society Alternative Report - **List of Themes.**

Submission of ENAR Ireland to inform the Committee's elaboration of its List of Themes in relation to Ireland's Combined 5<sup>th</sup> to 9<sup>th</sup> Periodic Reports.

***About ENAR Ireland and the Collective Alternative Report consultations.***

*The **European Network Against Racism (ENAR) Ireland** (soon to be renamed **INAR – Irish Network Against Racism**) is a network organisation with 99 Civil Society member organisations in Ireland, and is itself a member of the European Network Against Racism (**ENAR**). Using a variety of methods, including public consultation events, surveys and written submissions from across Irish society, ENAR Ireland is preparing the Collective Civil Society Alternative Report to Ireland's Combined 5<sup>th</sup> to 9<sup>th</sup> Periodic Reports on the occasion of CERD's 100<sup>th</sup> session in Dec 2019. The Themes presented here emerge from that process.*

I. ENAR Ireland welcomes the opportunity to make this submission to the Committee on the Elimination of Racial Discrimination ("Committee") to inform its development of a List of Themes in relation to Ireland's Combined 5<sup>th</sup> to 9<sup>th</sup> Periodic Reports.

II. This submission sets out what Irish civil society views as key challenges in relation to Ireland's implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. We will provide in the full report a table recording progress in implementing the Committee's 2011 concluding observations. ENAR Ireland will file a full Collective Civil Society Alternative Report prior to Ireland's review. ENAR Ireland also remains available to the Secretariat and the Committee for any further information or clarification that they may require.

**III. ENAR Ireland, on the basis of our Civil Society Alternative Report consultations, recommends that the Committee include the following matters in its List of Themes for Ireland:**

**1. Travellers and Roma:**

The position of Irish Travellers continues to be one of deep concern. Failure to provide safe accommodation, exclusion of Travellers from new anti-racism initiatives, continued discrimination in policing, employment and public services, and failure to give legal effect to recognition of Traveller ethnicity maintain the persistent exclusion of Travellers from Irish society. The suicide rate of Travellers, due to this extreme exclusion, remains extraordinarily high. The Roma population continue to be targeted for explicit discrimination in all areas of Irish life, and experience similar institutional discrimination in housing and access to public services. Women in both populations continue to experience multiple exclusions in these areas.

**2. Asylum Seekers and Direct Provision:**

The 'Direct Provision' system of accommodation for Asylum Seekers continues to be an area of widespread concern, because of the lack of access to adequate food, clean facilities, safe living arrangements and health services, and the segregationist nature of the Direct Provision which separates asylum seekers from Irish society in isolated locations. Temporary measures to address severe overcrowding including 'emergency accommodation' have increased these problems. The Irish Government now plans to expand this system, which has been widely criticised by international bodies as well as human rights bodies in Ireland.

**3. Refugees, Migrants, immigration and International Protection.**

Improvements to the immigration system with the introduction of the International Protection Act 2015 are piecemeal, and do not adequately addresses rights, entitlements and obligations as set out in Paragraph 14 of the Concluding Observations. Issues of refugee poverty continue to be of concern. There is a continued need to protect migrant workers against exploitation. Targeted measures are needed to strengthen equal access to the labour market in order to alleviate the concentration of qualified individuals in low-paying jobs.

**4. People of African Descent (PAD)**

Racism against People of African Descent (PAD) continues to be widely documented in policing, public services, education, and health. Discrimination is not adequately addressed in public institutions through enforcement of the Public Sector Equality and Human Rights Duty. Historical institutional abuse of this population has not been adequately addressed by the state.

Racial profiling by police, as well as failure to provide adequate protection to Black victims of crime and to Black young people, are increasingly documented.

There are inadequate protections of this population from discrimination in public and private sector employment.

## **5. Hate Crime, Policing and the Criminal Justice System**

In the absence of adequate legislation to identify, investigate and prosecute the bias element of hate crimes, the State has taken few measures to address the widely documented hate crimes against ethnic minorities, in particular against Muslims, migrants, refugees and asylum seekers.

Recent increased activity of organized far-right organizations in Ireland and attacks on proposed Direct Provision centres highlight failure to employ existing legislation and the necessity of measures to augment and increase use of existing legislation on incitement to hatred. Effective responses must be developed to address online hate speech, and the use of online platforms to create conditions which incite violence against minorities.

Racial profiling by An Garda Síochána (the Irish Police service) and the immigration service must be prohibited, prevented and monitored.

## **6. State leadership**

The introduction of the Public Sector Equality and Human Rights Duty has not resulted in consistent and adequate training of public sector staff, accountability for breaches of the duty, and inclusive consideration of all groups in the development of policies. The State must take measures to give full effect to the Duty and ensure its enforcement, including to combat the widespread direct discrimination against minorities accessing services. Anti-racism training must be extended and improved in education and policing.

Measures are needed to ensure that all children residing in the State, regardless of ethnicity or nationality, can access child benefit payments.

Data collection is inadequate and undermines attempts to ensure that no population group is left behind in meeting Sustainable Development Goals. What measures will the State take to ensure the full and effective development and implementation of an ethnic identifier across relevant data collection systems by State departments and agencies that takes place in line with human rights standards? What steps are the Government is taking to develop systems to collect robust disaggregated data?

There has been no National Action Plan Against Racism since 2008. Will the state develop a wide-ranging and comprehensive Durban Declaration compliant National Action Plan Against Racism?

Contact Person:

Shane OCurry, Director ENAR Ireland/ Irish Network Against Racism: [shane@inar.ie](mailto:shane@inar.ie)