european network against racism

ENAR Shadow Report 2011-2012

ENAR Shadow Report

Racism and related discriminatory practices in Ireland

ENAR Ireland

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Racism is a reality in the lives of many ethnic and religious minorities in the EU. However, the extent and manifestations of this reality are often unknown and undocumented, especially in official data sources, meaning that it can be difficult to analyse the situation and to establish solutions to it.

The ENAR Shadow Reports are produced to fill the gaps in the official and academic data, to offer an alternative to that data and to offer an NGO perspective on the realities of racism in the EU and its Member States. NGO reports are, by their nature, based on many sources of data - official, unofficial, academic and experiential. This allows access to information which, while sometimes not backed up by the rigours of academic standards, provides the vital perspective of those that either are or work directly with those affected by racism. It is this that gives NGO reports their added value, complementing academic and official reporting.

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1. Executive summary

Racism remains a problem in Europe and Ireland is not immune to this phenomenon. EU Fundamental Rights Agency's EU MIDIS study showed that 73% of sub-Saharan Africans interviewed said they had experienced discrimination. A report published by the Teachers' Union of Ireland in 2010 revealed that 46% of teachers were aware of a racist incident in their schools in the previous month. ENAR Ireland established an independent system for monitoring racist incidents. Approxiately 150 incidents were reported to ENAR Ireland and our partners. 75% of the incidents reported involved violence and crime. Yet Ireland's capacity to respond to and to prevent racism during such periods has decreased signficantly since the beginning of the financial crisis.

Ireland is an ethnically diverse society with ethnic minorities accounting for approximately 10% of the population. This diversity is reflected across the country. A national census was carried out in April 2011 and the results were published over 2011 to 2012. The census results show that ethnic minorities still account for a significant part of the population, and challenge the notion that with the downturn in the economy, migrants have left Ireland. Ethnic minorities are vulnerable at this time, especially economically. Especially vulnerable among ethnic minority groups are women, who are over-represented as employees in under-regulated sectors and for whom services are at times inappropriate.

An ongoing problem is the persistent failure by the State to recognise the ethnic identity of Travellers, in circumstances where there is consensus among international authorities and domestic human rights and equality bodies that Traveller ethnic identity should be recognised. This consensus is borne out by a detailed analysis of international human rights law and sociological and anthropological authorities around ethnicity. Equally, the UN Committee on the Convention on the Elimination of Racial Discrimination, the Committee on the Framework Convention on National Minorities, and the UN Committee on the Convention of Rights of the Child, have reminded the State that Travellers should be recognised as an ethnic group in circumstances where no clear reasonable legal argument exists for the State's persistent refusal to recognise Traveller ethnicity. Irish Travellers are recognised as a distinct ethnic group in Northern Ireland and Britain, while the State in Ireland continuously fails to do likewise.

Key issues and developments:

In employment, migrants and Travellers are disproportionately represented on the live register, i.e. receiving welfare support from the State. It is clear that at the beginning of the recession in particular, migrants and Travellers were disproportionately affected. There is evidence to suggest that this situation is beginning to stabilise. However, indirect and direct discrimination are evident in the area of employment. Migrants and Travellers were more likely to be employed in some of the areas hardest hit at the beginning of the recession, including the construction industry and other service sectors. A study published in 2009 on discrimination in recruitment shows that people perceived to be Irish were twice as likely to be called for interview. In the area of education, one of the burning issues at present is the limited access for children of migrants to access third level education, arguably due to gaps and oversights in immigration policy and legislation.

While there are numerous issues and some positive developments in the area of health, one group that faces very particular issues are asylum seekers, whose poor living conditions and limited rights are argued to impact negatively on their health. 2011 saw the implementation of legislation on female genital mutilation which is now outlawed in Ireland. In relation to housing, NGOs including ENAR Ireland members have documented discrimination in accessing accommodation. These have also been documented through ENAR Ireland's independent system for recording racist incidents. In the area of criminal justice, Ireland has yet to explicitly recognise racist crime in law, , save for the Incitement to Hatred Act 1989 which has proven to be very difficult to enforce with prosecutions and convictions, this is set out further in this document. 75% of racist incidents reported to ENAR Ireland in 2011 involved violence and crime. ENAR Ireland is working proactively however, with official bodies to try to develop a more robust system for monitoring racist incidents, including independent recording.

Ireland is relatively inclusive with regard to local democracy and migrants have run for local elections. However, there are limitations with regard to local elections and some of the difficulties around accessing long-term residency and citizenship impact on the possibility of migrants to participate in national elections. Aside from migration status, there are other factors impacting on political participation, demonstrated by the fact that the national Parliament is not representative of Travellers - there have been no targeted positive action measures taken to increase political participation among Travellers and other vulnerable groups. Women are also underrepresented; only 13% of national parliamentarians are women.

Section four presents an overview of some significant developments in Ireland during the period under review. Section five provides a focus on Muslim communities and Islamophobia, or anti-Muslim racism, an issue that ENAR is examining across Europe. Section six looks at access and full participation in collective society and examines specific areas including employment, education, housing, health, access to goods and services, political participation, media and criminal justice. Section seven offers a civil society assessment and critique in ensuring protection of fundamental rights. While racism remains a pervasive issue and a problem in Ireland as in other member states, many civil society organisations continue to develop good practices. Section eight provides a sample of some of the practices in Ireland, in a number of relevant areas. Section nine sets out recommendation and section ten offers a brief conclusion, on the future outlook and focus of anti-racism and anti-discrimination.

Recommendations:

- Recognise Traveller ethnicity, in accordance with international human rights law and sociological and anthropological norms.
- Introduce comprehensive and fair immigration legislation.
- Recognise racist crime in Irish law.
- Support the independent monitoring of racist incidents.
- End dispersal and direct provision.

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3. Introduction

Racism is a problem across Europe and Ireland is not immune to this phenomenon. This fact is highlighted in recent research by both European Network Against Racism (ENAR) and the EU Fundamental Rights Agency (FRA) as well as in research conducted by national bodies such as the Teachers Union of Ireland. The Eurobarometer also highlights a gap between realities and perceptions of people in relation to racism and related discrimination.[1] The Eurobarometer poll shows that more than half of Irish people believe that discrimination on the basis of ethnic origin is widespread. The figure was 57% in 2007; 52% in 2008 and 46% in 2009.

Ireland had a booming economy and growing diversity for much of the previous decade, but is now in the midst of recession. At this time, we are at a critical juncture and the anti-racism agenda requires strong political leadership and support by State institutions. Racism appears to be increasing in Ireland. Tolerance of racism also seems to have increased. There are currently a number of factors which indicate the risk of an increase in racism; including recession and the rise of extremism across Europe. Worryingly, Ireland's capacity to address racism has been seriously undermined since December 2008 with the closure of the National Consultative Committee on Racism and Interculturalism (NCCRI)[2] as well as subsequent budget cuts to equality institutions.[3]

On the ground, there is a real sense that the Government and other stakeholders consider equality and anti-racism efforts to be luxuries in a time of economic recession. We have seen disproportionate cuts to equality sector institutions and organisations at a time when the challenges of inequality and racism are coming to the fore. We argue that not only are anti-racism and equality key to economic recovery but that ignoring racism at this time has the potential to create social conflict and harm from which it will take decades to recover.

Key issues include the need for monitoring and legislation to effectively respond to racially motivated crime; and the ever diminishing capacity of infrastructure to address racism as a result of cuts to the community and voluntary sector. It is with regret that we must again report what has been termed the 'persistent refusal' by the State to formally legally recognise the ethnic identity of Travellers.

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[1] EB, 2010.

[2] The NCCRI was a partnership body bringing together representatives from statutory organisations and civil society organisations. It acted as an advisory body to government. Other changes including the merging of the once independent Combat Poverty Agency into the Department of Community, Rural and Gaeltacht Affairs; a 24% cut to the budget of the Irish Human Rights Commission and a 43% cut in the budget of the Equality Authority which acts as the equality body, as required by the EU 'Race' Directive.

[3] ENAR Shadow Report: Racism in Ireland (2009/2010) available at http://www.enar-eu.org/

Section four presents an overview of some significant developments in Ireland during the period under review. Section five provides a focus on Muslim communities and Islamophobia, an issue that ENAR is examining across Europe. Section six looks at access and full participation and examines specific areas including employment, education, housing, health, access to goods and services, political participation, media and criminal justice. Section seven offers a civil society assessment and critique of current fundamental rights protection. Many civil society organisations continue to develop good practices. Section eight provides a sample of some of the practices in Ireland, in a number of relevant areas. Section nine sets out recommendation and section ten offers a brief conclusion, on the future outlook and focus of anti-racism and anti-discrimination.

The time period covered by this report is from March 2011 to March 2012; however, some references are made to the calendar year January to December 2011. While the report does not focus on developments in the second part of 2012, where pertinent to the discussion, specific developments may be highlighted.

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4. Significant developments in the country during the period under review

Ireland is in a state of recession and austerity measures are affecting many groups in Irish society. However, some groups have been disproportionately impacted.

The 2011 census shows that Ireland's population is 4,588,252, an increase of 348,404 since 2006 (i.e. up 8.2% since the 2006 Census). The number of Irish residents who were born outside Ireland continues to increase and had reached 766,770 in 2011 (i.e. 17% of the population). This is an increase of 25% on the 2006 Census figure. The number of non-Irish nationals usually resident and present in Ireland at the time of Census 2011 was 544,357 (i.e. 12% of the population). This is an increase of 29.7% since 2006.[4]

The breakdown by nationality of the 544,357 non-Irish nationals who were usually resident and present in the State at the time of the Census shows that the vast majority came from within the EU, i.e. 386,764 or 71% as illustrated by the charts below. The largest groups of third country nationals (non-EU 27 nationals) come from Asia (65,579) followed by Africa (41,642).

The Government made the decision to develop an Irish Human Rights and Equality Commission, merging the Equality Authority (which currently acts as the equality body in the EU context) and the Irish Human Rights Commission (which currently acts as the National Human Rights institution, in the international context)[5].

The long-anticipated Immigration, Protection and Residency Bill which had promised to provide a holistic approach to immigration legislation, has yet to be delivered. The process (which has resulted in a number of Bills) has been underway for a decade now.

The lack of a comprehensive legal framework is resulting in very real and practical issues for people on the ground. The recession has brought to a head particular challenges regarding the work permit system for example (discussed in chapter 6.1). Issues of key concern also include those facing young immigrants who, due to gaps in immigration procedure were not recognised as immigrants in their own right and at the age of 18 find they have a precarious legal status. They do not have the same rights to *inter alia* third level education as their Irish

[4] http://www.integration.ie/website/omi/omiwebv6.nsf/page/statistics-census2011-en

[5] There are a number of concerns regarding the merger process, the principle issues focusing on independence, capacity and sufficient resources. The Equality and Rights Alliance (ERA) is an alliance of NGOs actively campaigning to on this issue since the idea of a merger was first mooted in 2008 Their submission on the merger and other relevant information can be found on the website at www.eracampaign.org

counterparts, with whom they may have been in school all the way through their primary and/or secondary education. The policy of dispersal and direct provision – whereby asylum seekers receive their accommodation and food directly in centres across the country – remains unchanged despite long-standing concerns by NGOs and health professionals, amongst others.

The Irish Refugee Council research,'*Difficult to believe: the assessment of asylum claims in Ireland*' examines the asylum process in Ireland with a systematic review of documents which form the basis of what is known as the 'Refugee Status Determination' procedure in Ireland, in order to better understand why the majority of applications for refugee status in this country are refused. The UK acceptance rate is four times higher than the average in Ireland. The evidence obtained in this study suggests that the process itself is responsible and, particularly where the Tribunal is concerned, there are reasons to believe that a 'culture of disbelief' informs the approach taken by some Tribunal members.[6]

The Eurobarometer provided a good indication of public perceptions to migrants in previous years. Research carried out by Millward Brown focused on attitudes of politicians towards racism and immigration. It found that six out of ten politicians encountered racist comments while canvassing for election. Roma activists are concerned that the National Roma Integration Strategy has not been adequately put in place. They are also concerned regarding the lack of consultation on the development of a Strategy.[7] There were some developments with regard to local anti-racism or integration action plans with a number of counties entering into a new phase of action plans and undertaking local consultations. In the border counties, Peace III Partnerships[8] are carrying out some relevant anti-racism work including monitoring, as part of their Peace III Plans which now focus not only on sectarianism but also include racism.

The Forum on Patronage was one of the key positive initiatives by Government over this period. A key development also was significant progress on legislation outlawing Female Genital Mutilation[9], which ultimately concluded early in 2012. ,
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[6] http://www.irishrefugeecouncil.ie/news/irish-refugee-council-calls-for-an-urgent-review-of-the-refugee-applications-process-launch-of-new-report-difficult-to-believe-the-irish-refugee-council-has-launched-its-new-repo/1444

[7] See for example, commentary by Pavee Point and the Roma Support group, www.pavee.ie

[8] Peace III is a specific Programme supporting peace and development in the border counties, i.e. on the border between the Republic of Ireland and Northern Ireland.

[9] Criminal Justice (Female Genital Mutilation) Act 2012.

5. Special focus

The twenty years between 1991 and 2011 saw significant increases in the non-Catholic population driven by not only growing numbers of people with no religion but also by large increases in immigration from Eastern Europe, Africa and Asia. The proportion of the population who declared themselves to be Catholics continued to decline in 2011 and stands at 84.2% of the population..[10]

There were 49,204 Muslims in Ireland in April 2011, a sharp rise from the census five years previous. Ireland's Muslim population included 8,322 primary school aged children and 3,582 of secondary school age. Since 1991, the number of Muslims increased from just 0.1 to 1.1 per cent of the total population.[11] Various Islamic religious traditions are represented in Ireland, most notably the majority Sunni community, a large Shi'a community numbering approximately four thousand (almost 10% of the Muslim population in Ireland), and a small Ahmadyyia community.

Of the 3,169 primary schools in Ireland the Catholic Church has patronage over 2,814. There are two Muslim primary schools in Ireland.[12] The biggest non-Christian religion in Ireland is Islam, with 49,200 people defining themselves as Muslim in the census – an increase of over 50 per cent since 2006.[13]

Like in other countries, there is some Islamophobia but in general, a number of the mosques for example, report a relatively good experience in Ireland. In many areas, officials such as social inclusion officers and the police engage in a proactive way in developing relationships with the Muslim community in the area. However, it is difficult to record the exact situation. There is a clear under-reporting of racism experienced by religious minorities. Racist incidents have been reported to ENAR Ireland.

Some interesting work is being carried out at present by academics on Islamophobia in Ireland, which will help paint a more comprehensive picture and inform our analysis in time to come.

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[10] See Central Statistics Office press release on religion, ethnicity and Irish Travellers report, www.cso.ie

[11] The report in full is available at http://www.cso.ie/en/census/census2011reports/census2011profile7religionethnicityandirishtravellers-ethnicandculturalbackgroundinireland/

[12] The Forum on Patronage and Pluralism in the Primary Sector http://www.education.ie/en/Press-Events/Conferences/Patronage-and-Pluralism-in-the-Primary-Sector/The-Forum-on-Patronage-and-Pluralism-in-the-Primary-Sector-Report-of-the-Forum%E2%80%99s-Advisory-Group.pdf

[13] CSO statistics

New and unique insights into anti-Muslim racism in Ireland have been elucidated by an Irish Research Council funded study conducted by James Carr in the Department of Sociology, University of Limerick.[14] The research undertaken thus far has developed over two stages. First, a survey instrument was designed and deployed from September 2011 to May 2012 in an effort to establish how extensive anti-Muslim hostility is in the Republic of Ireland. This was followed by ongoing interviews and focus groups with Muslim men and women in multiple locations across Ireland. The survey itself does not claim to be statistically representative of the situation faced by Muslims in Ireland. Nonetheless, it may be representative in terms of diversity with over fifty different nationalities, including dual represented. The survey is also in two sections: 1) experiences of hostility; 2) experiences of discrimination.

Anti-Muslim Hostility

Preliminary findings demonstrate that over a third of participants reported they have experienced some form of anti-Muslim hostility in the period from January 2010. What is more, Muslim women were almost twice as likely to be targeted as Muslim men. This raises questions in terms of religious identifiability. Muslim women in Ireland were also almost fifty per cent more likely to state that they are identifiably Muslim than men. The manner in which these experiences manifested ranged from physical assault, threats/harassment, to verbal abuse which was by far the most frequent form of hostility. Racist comments reported by participants centred on stereotypical tropes associated with Islamophobic discourses including “bin Laden”, “bin Laden’s wife”, “Islamic terrorist”, “she’s got a bomb in her bag”. While less frequent than that of verbal abuse experiences of physical assault ranged from being spat upon, the forcible removal of *hijabs* and or *niqabs*, to being struck[15]. In terms of locations, those who stated that they had experienced anti-Muslim hostility were drawn from across the State. Those in Dublin reported the highest levels of anti-Muslim racism. However, in all, participants from eleven different towns/cities across Ireland stated they had experienced hostility that specifically targeted there Muslim identity.

Discrimination

A third of participants stated that they had been discriminated against on the bases of being identified as Muslim. As with experiences of hostility, Muslim women were almost twice as likely to experience discrimination to Muslim men. The main area of where discrimination was reported was that of the employment sphere. As media reports have documented women can receivereceive discriminatory treatment in the Irish workplace when wearing the hijab[16]. This was replicated in findings from the research undertaken by Carr in Limerick

[14] ENAR Ireland is grateful to James Carr for generously sharing the preliminary findings of his research with us for the purposes of providing a special focus in this year’s report.

[15] See also http://www.herald.ie/news/courts/woman-beaten-and-taunted-as-she-wore-a-hijab-3045294.html

[16] See http://www.irishtimes.com/newspaper/ireland/2012/0912/1224323910447.html

which also indicates that Muslim women in particular face discrimination when looking for work with inappropriate, stereotypically charged comments directed toward their religious dress being made in or prior to undertaking an interview. A Muslim male participant also reported being asked questions on his faith in interviews that were irrelevant to the position for which he was hoping to be hired.

Another area of concern to participants is that of education, primarily in terms of accessing schools. Irish equality legislation currently upholds the right of denominationally aligned educational institutions to deny enrolment to students who are not of the same faith of the school's patrons. This denial is allowed if it is believed that the religious 'ethos' of the school may be threatened by allowing those of other faiths or none enrol. Thus, those whose faith is that of the school's patrons can be and are given preferential treatment over those who are not of the same religion, which in the Irish case is predominantly Catholic. Participants in the University of Limerick study have made repeated references to experiencing difficulties in gaining access for Muslim children in primary and second level schools. Additional field work is ongoing on this aspect of reported discrimination.

Muslim participants also related discriminatory treatment of Muslim women in the Garda National Immigration Bureau. This resulted from a change in policy/practice in the manner in which photographs are taken for the Garda National Immigration Bureau identification card[17]. As a result of this change Muslim women reported being asked to remove their head covering in contravention of theirfaith. Members of the Garda Racial Intercultural and Diversity Office did intervene to positive effect facilitating discussions between Muslim community representatives to address this issue. However, there still seems to be some concern among Muslim women at time of writing.

Intersectionality

Muslim women are particularly vulnerable as demonstrated in the examples offered above. It is noted that factors such as: skin colour; gender; immigration status; and cultural identity were also mentioned by different participants as intersecting with their religious identity to varying degrees. That said, the manner in which the questions were asked of participants leaves no doubt that it was the Muslimness of participants that was being targeted in the findings discussed above. Indeed, participants were asked specifically whether or not they felt they were targeted for hostility or discrimination on the basis of being Muslim.

Media/public officials/ far right groups

Participants made reference to media reports and actors they felt had a specifically anti-Muslim bias. These centred on primarily on print media but also

[17] See also http://www.irishtimes.com/newspaper/ireland/2012/0321/1224313640645.html

referred to television documentary on Muslims in Ireland by a right-wing journalist.[18] [19]

> *"Specifically in relation to Muslim communities, there is an ongoing debate in Ireland with regards the wearing of the hijab in Irish schools. The death of Osama bin Laden provided Irish media outlets the opportunity to depict Muslims in Ireland as the Other describing how there exists in Ireland an "evil in our midst", "hiding out amongst us" in the form of a Muslim terror threat (emphasis mine). More recently, a local Councilor in Cork City suggested that Ireland should follow the lead of European States and prohibit the wearing of the burqa/niqab in public as they are "an affront to women" and atavistic in modern Ireland, fitting the identikit of Islamophobia as defined earlier".*[20]

In addition to the negative media reporting and sentiments from former elected officials there is also a somewhat marginal far-right presence in Ireland:

> "In an Irish context, the BNP have roots in Northern Ireland, while there are also overtly anti-Islam groups in the Republic of Ireland such as the Democratic Right Movement and the Irish Defence League (IDL) present on the internet, which includes international social networking sites".[21] [22]

These groups invoke the same anti-Muslim sentiment as similar parties on mainland Europe; conflating sentiment against Muslims that targets their religion and religious identity with xenophobic and other racist discourses. [23]

[18] http://www.rte.ie/tv/programmes/now_its_personal.html

[19] http://www.independent.ie/opinion/columnists/ian-odoherty/ian-odoherty-so-have-i-changed-my-mind-after-spending-a-week-with-muslims-2945754.html

[20] Carr, J (2011) Regulating Islamophobia: The need for collecting disaggregated data on racism in Ireland. Journal of Muslim Minority Affairs, 31(4): 581

[21] Carr, J (2011) Regulating Islamophobia: The need for collecting disaggregated data on racism in Ireland. Journal of Muslim Minority Affairs, 31(4): 580

[22] See http://www.youtube.com/watch?v=2h-eaDw8qiw&feature=plcp ; also FB page https://www.facebook.com/#!/pages/Irish-Defence-League/115481641853990?fref=ts

[23] See Carr Regulating Islamophobia: The need for collecting disaggregated data on racism in Ireland. Journal of Muslim Minority Affairs, 31(4): 579-581

6. Access and full participation in all collective areas of society

The section provides an overview on discriminatory and racist trends, i.e. challenges for some in enjoying full participation and equal access to essential resources, such as employment, education, housing, health, access to goods and services, political participation (including citizenship/nationalisation options, double citizenship, voting rights in country of destination), media (including protection from cyberhate and representation in the media), and criminal justice (including racist violence and crime, and counter-terrorism).

6.1 Racism and related discrimination in employment

6.1.1 Manifestations of racism and related discrimination in employment

The economic crisis has had a devastating effect on the Irish labour market. Migrants have been disproportionately impacted. According to the Annual Monitoring Report on Integration 2011, employment among non-Irish nationals fell 40% between 2008 and early 2011 compared to a 10% drop among Irish nationals.[24] The Migrant Rights Centre Ireland noted that it appears that unemployment is being managed by encouraging migrant workers to leave Ireland.[25] They argued that as the migrant workers have a significant presence in the Irish economy, and they are experiencing high levels of unemployment, the Government is encouraging them to leave as a means of reducing unemployment levels.

Immigrants are disproportionately employed in low pay, low skill jobs. They are more likely than Irish nationals to be employed in a job below their skill level. Immigrants are employed at higher rates in seasonal work, are less likely to receive permanent contracts and receive lower gross earnings.[26] Non-Irish nationals encounter considerable discrimination in recruitment. In 2008 the Equality Authority and the Economic and Social Research Institute conducted a study in which fictitious CVs were sent to recruiters, half with recognisably Irish names and the rest with either African, Asian or German names. The study found that 'candidates' with Irish names were twice as likely to be called to interview as

[24] Annual Monitoring Report on Integration 2011, p15 http://www.integrationcentre.ie/getattachment/14cacd49-2ab9-4a23-b869-80b52bc6cac6/Annual-Monitoring-Report-on-Integration-2011.aspx accessed 20 October 2012
[25] MRCI, Hidden Messages, Overt Agenda. P 9
[26] *Annual Monitoring Report on Integration 2011,* p20-21

non-Irish candidates with similar levels of experience and education. They found no significant difference in the level of discrimination faced by African, Asian or German candidates. [27] A study by the Equality Authority examining discrimination throughout the recruitment process found that non-Irish nationals were three times more likely to report having experienced discrimination than their Irish counterparts. It also found that Black respondents were seven times more likely than Irish respondents to report having experienced discrimination.[28] It has been reported that non-Irish nationals are twice as likely as Irish nationals to experience discrimination in the workplace.[29]

Most immigrants from outside the EEA (and Romanian and Bulgarian nationals until January 2012) require either a Green Card or a work permit.[30] The Green Card was introduced in 2007 as a mean of attracting highly skilled workers to Ireland to occupations with annual salaries of over €60 000 or to certain sectors where there is a skill shortage. Applicants who hold an employment offer with a salary of €30 000 or over may apply for a work permit.[31] The Migrant Rights Centre Ireland has been highly critical of the restrictions attached to work permits. Permits are tied to employment and the worker cannot easily choose to work for an employer other than that stated on their permit. This leaves permit holders highly vulnerable to exploitation as they risk becoming undocumented:

Workers claim that not being able to freely change employer puts them in a powerless situation, wholly dependent on the employer for their permit and continued legal immigration status. Migrant workers commonly speak of how employers threaten them with revoking or not renewing their permit if they complain. One of MRCI's most serious cases involved an Indian national working in virtual slave-like conditions in a private home for five years, who received a Labour Court award of over €240,000 in unpaid wages.[32]

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[27] *Discrimination in Recruitment; Evidence from a Field Experiment* available at http://www.equality.ie/en/Research/General-Research/ accessed 20th October 2012

[28] O Connell, Philip J and McGinty, Frances *Immigrant at Work: Ethnicity and Nationality in the Irish Labour Market* p x http://www.equality.ie/Files/Immigrants%20at%20Work%20-%20Ethnicity%20and%20Nationality%20in%20the%20Irish%20Labour%20Market.pdf accessed 20 October 2012

[29] *Racism and Migrant Workers in Ireland.* http://www.mrci.ie/media/File/MRCI%20PP%20Racism%20and%20Migrant%20Workers%20in%20Ireland.pdf

[30] There are two other forms of employment permit: the spousal/dependent permit and the intra-company transfer permit

[31] See http://www.citizensinformation.ie/en/employment/migrant_workers/employment_permits/

[32] *Migrant Rights Centre Ireland: Submission to the Irish Government's Consultation Process on Progress on the*

Self-employed immigrants also encounter discrimination. Research conducted by the Irish Centre for Human Rights amongst taxi drivers in Galway revealed that 46% of the population had been informed through hearsay or indirect experience not to use a taxi driven by 'Africans'. 62% of African taxi drivers stated that they had experienced discrimination whilst seeking employment in the Galway taxi industry, whilst 100% had experienced harassment that was racially motivated.[33]

As concerns the special focus of our report, according to a study on Muslims and entrepreneurship in Ireland, a higher proportion of Muslims are educated and employed in high skill jobs than the general population and stated that 'the Muslim population generally has quite a high socio-economic status in Ireland.'[34]

6.1.2 Facilitating factors or protective measures to combat employment challenges

People are protected from discrimination in employment under the equality legislation on nine grounds including 'race', 'membership of the Traveller community' and 'religion'. However, it can take up to three years before a case reaches a successful conclusion and there is only a limited range of penalties available. Cuts to the budget of the equality body risk jeopardising the positive steps taken in the past towards employment equality. The current waiting time for individuals seeking redress over discrimination in employment weakens the practical impact that equality legislation has on the lives of those facing discrimination in employment.

In early 2012 the Minister for Justice, Equality and Defence, Alan Shatter announced two new initiatives aimed at facilitating innovation and entrepreneurism by immigrants; the Immigrant Investor Programme and the Start-Up Entrepreneur Programme. The Immigrant Investor Programme is designed to attract those who have already succeeded in business to invest in the State by granting visas to applicant and their families. The minimum financial commitments required range from €500 000 to €2 million. The Start-Up Entrepreneur Programme aims to increase flexibility for those who wish to launch new business ventures in Ireland. Requirement include a 'good business idea in the innovation economy' and funding of €70 000. There are no initial job creation requirements in recognition of the fact that business success may not be immediate. The Minister stated that 'Immigration systems are often associated

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Implementation of the International Convention on Economic, Social and Cultural Rights p4 http://www.mrci.ie/media/File/Migrant%20Rights%20Centre%20Ireland%20submission%20to%20the%20ICESCR%20consultation%20process.pdf

[33] ICHR/NUIG Taxi Research 2010 p 612

[34] Cooney, Thomas and Manning, Jennifer *Muslim Entrepreneurship in Ireland* P23 http://arrow.dit.ie/cgi/viewcontent.cgi?article=1003&context=imerep accessed 21st October 2012

with border control but that is only one part of the picture. Immigration systems can assist in job creation and we need to think of migrants not just as workers but as people who can create employment for others'.[35]

The Employment for People from Immigrant Communities Programme, funded by the Office for the Promotion of Migrant Integration, is a Dublin based initiative which aims to promote integration through employment. The programme helps immigrants by 'improving their English, their job seeking skills, raising their motivation and confidence, increasing their understanding of Irish culture and the work environment; building their networks and promoting overall social integration.' The project provides a 6 week pre-employment training module as well as one to one support.[36]

The National Qualifications Authority of Ireland provides an International Qualifications Database to advise employers and qualification holders as to the comparability of qualifications obtained abroad with Irish qualifications.[37]

[35] http://www.inis.gov.ie/en/INIS/Pages/PR12000003 accessed 21st October 2012
[36] http://www.bitc.ie/employment-programmes/employment-for-immigrants/ accessed 21st October 2012
[37] http://www.integrationcentre.ie/getattachment/14cacd49-2ab9-4a23-b869-80b52bc6cac6/Annual-Monitoring-Report-on-Integration-2011.aspx accessed 21st October 2012

6.2 Racism and related discrimination in education

6.2.1 Manifestations of racism and related discrimination in education

Migration into Ireland increased significantly over the last two decades, and the education system is now seeing the results of such migration in terms of second generation access to education. There has been some change also regarding retention of Traveller children within education, with a small number progressing to third level. However, significant problems remain with just half of Traveller children attending second level education.[38]

Caution is needed in light of findings of the ESRI/Integration Centre study which revealed that 20% of "non-Irish students" leave education early.[39] Children are obliged to stay in school until the age of 16. However, they are not obliged to sit the final exam and so a number of chilren leave school after the age of 16 but before completing the final exam and hence, qualification.

Recent budgets have seen reductions in funding to educational programmes for marginalised groups, including language assistants and adult Traveller education programmes. Since 2008, there have been cuts to learning supports and addiontal educaiton programmes. One of the issues for the education system is that in the past decade a number of education supports have been introduced. However, they have been supported by additional funding and have not been sufficiently mainstreamed.

The results of the Teachers' Union of Ireland's 2010 'Behaviour and Attitude Survey' research[40] revealed that almost two fifths of participants believed that the number of teachers available to teach English as a second language was not adequate. 48% of teachers were aware of a racist incident in the last month, and 32% had no specific formal procedure to follow after a racist incident. There was a clear trend noted by the researchers that racist incidents were being reported in communities where job losses were starting to increase. There was a clear lack of an intercultural policy at any of the schools researched. African children were perceived to be targeted in a signficant number of incidents.[41]

In 2011, the CERD Committee noted with concern that the education system in Ireland is still largely dominated by the Catholic Church[42] and is still largely denominational. 98% of primary schools are run under religious patronage, with

[38] See "Just half of Traveller children in secondary school", http://www.irishexaminer.com/ireland/just-half-of-traveller-children-in-secondary-school-185353.html
[39] Monitoring report p 24
[40] Above n15
[41] Teachers Union p 22
[42] CERD para 26

92% of these being Catholic.[43] The provisions of the Equal Status Act give schools the power to refuse to admit students on the grounds of religion providing a legal basis for discrimination and furthering hindering any integration agenda. The possibility of a new State model of primary schools under the patronage of VEC is a welcome step towards a more integrated approach to education in the State. There has been some development in this area including through the Forum on Patronage (see below).

Of the 3169 primary schools in Ireland the Catholic Church has patronage over 2814. There are two Muslim primary schools in Ireland.[44] The biggest non-Christian religion in Ireland is Islam, with 49,200 people defining themselves as Muslim in the census – an increase of over 50 per cent since 2006.[45]

Primary schools in Ireland are owned by a patron and are managed by a board of management. Every school has to have its own enrolment policy. Parents may send a child to the primary school of their choice, provided there is a place available for them. Where there are not enough places, the school must give priority on the basis of their enrolment policy. Enrolment policy is developed and managed by the Board of Management[46].

The 2007 report *Intercultural Education: Primary Challenges in Dublin 15,* funded by the Social Inclusion Unit of the Department of Education and Science[47] highlighted the issues that can arise when schools have different enrollment policies. This disparity can lead to indirect discrimination. A first come first served basis, places are allocated to those who applied first, chronological age places are allocated to the oldest children in the group, priority given to members of a religious denomination children who subscribe to the religious ethos of the school are prioritised for admission and the language-based competencies of the parents are taken into consideration for access to the Gaelscoil (Irish speaking schools). This has a disproportionate impact on the children of migrants for a numbers of reasons: they may be new to the area, they may not practice the same religion, they may lack the knowledge or information about school enrolment procedures.

[43] IHRC Cerd Submission, p16

[44] The Forum on Patronage and Pluralism in the Primary Sector http://www.education.ie/en/Press-Events/Conferences/Patronage-and-Pluralism-in-the-Primary-Sector/The-Forum-on-Patronage-and-Pluralism-in-the-Primary-Sector-Report-of-the-Forum%E2%80%99s-Advisory-Group.pdf

[45] CSO statistics

[46] National Parents Council http://www.npc.ie/npc/page.aspx?pageid=332

[47] Full Report http://www.bap.ie/dloads/intercultural_education_report.pdf

Some schools implement their policies in relation to admissions, policies and procedures (equality, bullying etc) in place in schools in an *ad hoc* manner. Guidelines are set out by the Department of Education but there is no benchmark set and it is up to each school to intervene as they see fit.

There is Working Group on Tackling Bullying: covering homophobic, cyber and racist bullying, however some NGOs, including Traveller and migrant NGOs, have critiqued the work for its lack of focus on racist bullying.[48] , focus this year on homophobic bullying Integration Centre's submission to working group on tackling bullying[49] and the Irish Traveller Movement's submission[50] critique the working group's lack of focus on racist bullying. They note the lack of anti-racism policy in schools, lack of specific measures to counter racial bullying,

Irish equality legislation allows schools to prioritise students of a particular denomination over other children, undermining the principle of equality to education.[51]

In 2010, all targeted investment by the Department of Education in Traveller education including the Visiting Teacher for Travellers, Resource Teachers for Travellers, School Transport for Travellers was cut. Anecdotal evidence from Traveller organizations suggests that this has had a significant effect on the participation and success rates among Irish Travellers educationally, these cuts came at a time when significant progress was being made to advance educational standards among Travellers who have historically suffered from poor experience in education resulting in poor educational outcomes. The lack of an ethnic identifier in schools and the abolition of the Visiting Teacher Service for Travellers who had previously collated data in this area, results in an absence of satisfactory statistical evidence in this matter resulting in the regression not being addressed.

Enrolment Policies and Travellers

The Case of Stokes v CBS Clonmel was an equality case brought by the Irish Traveller Movement Independent Law Centre commenced in 2010. The case involved a Traveller boy who tried to enroll in his local secondary school, he was advised that his application for enrolment had been unsuccessful. The school's enrollment policy afforded the children of past pupils (and others, the past pupil rule is the rule being challenged) priority enrollment in the school, with the remaining places being allotted using a lottery. The Irish Traveller Movement

[48] See for example, the Irish Traveller Movement's submission (reference below).
[49] ITC's submission http://www.integrationcentre.ie/getattachment/8ee607e8-873f-494a-808d-2da3b4ad8a05/TIC-Submission-on-Bullying.aspx
[50] Irish Traveller Movement submission to working group http://www.itmtrav.ie/uploads/publication/ITM_Tackling_bullying_submission_Aug_2012.pdf
[51] See also section 5 of this report, "Special Focus".

Independent Law Centre took a case on behalf of the boy to the Equality Tribunal challenging the rule on the basis that its operation constituted indirect discrimination against Travellers. The complainant's argument related to the fact that the rule gave priority to the children of past pupils placed Traveller applicants at a "particular disadvantage" against non- Traveller children. It was accepted that a child of second –level school going age from the Traveller community would be significantly less likely to be in a position to satisfy the rule as second level enrolment rates among Travellers at the time that the complainant's father was of school going age very few Travellers were enrolled in a second level school. The complainant won his case in the Equality Tribunal, the school then appealed to the Circuit Court where the Judge found that the rule was necessary and objectively justifiable to facilitate the proper running of the school, the Circuit Court's decision was appealed to the High Court where Mc Carthy J. ruled that the rule did not put Travellers at a particular disadvantage, the case is presently under appeal to the Supreme Court.

6.2.2 Facilitating factors or protective measures to combat education challenges

Ireland has a denominational education system. Historically, the majority of the schools in Ireland have been owned and run by churches, dominantly by the Catholic Church. An initiative by the current Government to look at how education might be better provided to a diverse population that gives people choice was "The Forum on Patronage". This was a most significant development in the area in 2011. In March 2011, the Minister for Education announced the establishment of a Forum on Patronage and Pluralism in the Primary Sector. The Minister appointed an Advisory Group to receive and assess the various views and perspectives submitted including those of parents, patrons, teachers and the wider community.[52]

[52] See Department of Educaiton website at http://www.education.ie/en/Press-Events/Conferences/Patronage-and-Pluralism-in-the-Primary-Sector/Forum-on-Patronage-and-Pluralism-in-the-Primary-Sector.html

6.3 Racism and related discrimination in housing

6.3 Racism and related discrimination in housing

6.3.1 Manifestations of racism and related discrimination in housing

The current Irish housing market is still is a state of recovery. Whilst the economy struggles to return to relative stability, mortgages have reduced by 13.3% in the past year whilst rent prices have increased by 1.9%.

Over 100,000 families are currently on social housing waiting lists. The Government's social housing has dramatically reduced since a commitment in 2009 to ring-fence a budget of €20m failed to proceed. The Affordable Housing Scheme failed to sell a considerable supply of housing units which in turn were purchased by the Local Authorities and leased to families on the social housing waiting lists. A number were leased to Housing Associations. Private rented leases fell well below the target of 2000 per year, with only 932 units leased over three years. Access to mortgage credit has also proved difficult for families looking to buy.

Key problems related to housing in Ireland's context include:

- Private Rented Housing

There have been few reports of racism and related discrimination in relation to housing although ENAR network members recognise that this could be due under-reporting. A number of racist incident reports have been lodged in relation to individual cases of discrimination against tenants or prospective tenants by landlords and agencies. However, these reports typically lodged by witnesses who work with migrants in accommodation finding. Victims of discrimination often do not know that they can report racist incidents in relation to access to housing and that they can pursue a case under the Equal Status Act. Landlords are required only to register their tenancies with the Private Residential Tenancies Board, which also provides a dispute resolution service. To date, no cases involving racism or discrimination have been recorded by the PRTB. Most cases taken to the Private Residential Tenancies Board concerned deposit retention by landlords. Delays in hearings of up to two years are discouraging for tenants who wish to take cases to the PRTB.

As unemployment rates peak at almost 15%, higher numbers of people are accessing social welfare. Rent allowances have gradually decreased, forcing families to rent low standard housing, and in doing, so rewarding landlords for poorly maintained housing. The majority of the migrant community are confined

to private rented housing as access to social housing is restricted by legal status[53]. Data on the purchase of property by migrants is not available.

Prominent concerns relating to racism and discrimination in housing include over-reliance on private rental housing and an absence of realtor licensing and regulation. To combat this issue, we recommend that consideration be given to the introduction of a Private Property Renting Licence mechanism, which would include training for owners as well as a commitment to anti-discrimination measures as well as respect for the rights of tenants, with penalties for breaches.

- Social Housing

Access to social housing waiting lists was further restricted for migrants in Ireland when a new requirement of five years residency was introduced this year, with exceptions for refugees only. In turn this has caused delays and refusals by social welfare offices to issue rent allowances for people on social welfare living in private rented accommodation.

- Irish Traveller Community

Traveller organisations including Irish Traveller Movement (ITM), have criticised the government's implementation of the Housing Strategy, which included a consultation process with the Traveller community. ITM noted a phasing-out of Traveller specific accommodation and a failure in the commitment made in 2000 to provide 3600 new units. Only 849 new units have been supplied up to 2011. Housing is not being provided to meet culturally specific needs of the Traveller community. The Irish Traveller Movement notes that the reduction in the allocation in capital funding for Traveller specific accommodation has had a serious impact on the availability of culturally appropriate accommodation. The estimated capital allocation in the years 2000 – 2009 was €70mln approx., this was reduced to €4mln in 2013, these cuts are unacceptable and wholly disproportionate, in particular considering the dire need for Traveller specific accommodation nationally.

- Migrants in homeless services

Access for migrants to homeless services depends on migration status and access can be very limited for those who do not have long-term permission to stay in the state. The habitual residency condition – which limits a number of state benefits and services to those who have been habitually resident in the country for two year – are among the issues in this area. The Health Services Executive provides a separate New Communities Unit which provides a service specific to migrants wishing to access emergency accommodation and social

[53] Local authorities are only obliged to provide accommodation for specific groups of people. For migrants, their residence status and the duration of their residency impact on their entitlements.

welfare. A Freephone helpline provides very short term emergency accommodation for people who are not entitled to social welfare payments. The International Organisation for Migration can cover the cost of flights for some migrants to return to their native country.

6.3.2 Facilitating factors or protective measures to combat housing challenges

Integration has been addressed within social housing planning by local authorities. A number of initiatives have been undertaken such as the publication of a set of guidelines developed by the Housing Agency for Local Authorities entitled 'Housing Ethnic Minority Communities, Facilitating Social Inclusion'.

Racism in the private rented sector is invisible on the policy agenda of government. Also, it appears the private housing market organisations/businesses such as letting agencies are in many cases, not concerned with the issue. There are no official campaigns targeting landlords to promote anti-racism and intercultural competence. ENAR Ireland member the Vincentian Refugee Service (now Crosscare Refugee Service) held a seminar in Dublin City Council in November 2011 to highlight the issue of racism in the private rented sector based on their work with migrants and refugees. ENAR Ireland is working with Crosscare Refugee Service to put forward recommendations developed by participants to target relevant stakeholders in the public and private sectors. The Equality Authority provides assistance with reported cases of discrimination under The Equal Status Act 2000-2008, however, there have been no cases heard on discrimination in accessing private accommodation to date.

Realtors are not being trained anti-discrimination and intercultural competence as it is not a requirement for renting property and landlords do not require a license to rent.

6.4 Racism and related discrimination in health

6.4.1 Manifestations of racism and related discrimination in health

Health inequalities and difficulties accessing healthcare services remain a concern for ethnic and religious minorities.

The All Ireland Traveller Health Study showed a dramatic difference between the health of the Traveller community and that of the overall population. Infant mortality in the Traveller community is 14.1% compared to 3.9% in the overall population.

Our Geels[54] remains the most comprehensive study on the health situation of Travellers in Ireland today. Findings from study, reveal startling statistics and the persistently poor health status of Travellers. Life expectancy for both men and women is lower in the Traveller community than in the overall population (Traveller men 61.7, general population 76.8, Traveller women 70.1, general population 81.6). Since 1987 the male life expectancy in the general population has risen 5.2 years whilst there has been no rise in the life expectancy of Traveller men. There has been a rise in Traveller female life expectancy by 4.8 years since 1987, exceeding the rise in the general population by 0.4 years. On the other hand, there is clear evidence of the value of Primary Health Care for Traveller projects, with proportionally more Traveller women than settled women accessing breast screening and smear tests.

One in ten Travellers will die from suicide, a shocking finding of the *Our Geels* study.

There are serious concerns[55] over the impact of dispersal and direct provision on the mental health of asylum seekers, with medical professionals for example expressing concerns that the living conditions can lead to mental health issues (see for example Shadow Report for Ireland 2009 and submissions to CERD in 2011).

The HSE Crisis Pregnancy Service commissioned research into Sexual Health, Fertility and Motherhood issues for migrant and minority ethnic women in Ireland.

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[54] *All Ireland Traveller Health Study: Our Geels* was published in September 2010 and is available at http://pavee.ie/ourgeels/wp-content/uploads/2010/09/AITHS2010_SUMMARY_LR_All.pdf.

[55] NGO Forum on Direct Provision, Direct Provision and Dispersal: Is there an alternative (2011), http://www.irishrefugeecouncil.ie/detail.php?category_id=2&sub_category_1_id=2&sub_category_2_id=22&sub_category_3_id=204

The research showed that while migrant women share many perspectives with Irish women regarding fertility, sex and motherhood, there are notable differences. There were high levels of variation in the knowledge and experiences of women in the knowledge and experiences of sexual and reproductive health services in Ireland.[56]

6.4.2 Facilitating factors or protective measures to combat health inequalities

One of the key developments in this period was the passing of the Female Genital Mutilation Act.[57] This relatively progressive Act was the result of lobbying by NGOs, including Akidwa (an African and migrant women's organisation and members of ENAR Ireland). It also had a number of key political advocates.

The HSE National Intercultural Health Strategy 2007-2012 aims to reduce health inequalities for people from diverse ethnic and cultural backgrounds. This includes refugees, asylum seekers, migrant workers, undocumented migrants and Travellers. The midterm review of the Strategy is currently in progress.

The HSE National Service Plan for 2011[58] states that Emergency Multilingual Aid toolkits for staff will be made available, the Intercultural Health Guide will be implemented and a translation toolkit will be issued to staff.

The 'All Island Traveller Health Study'[59] was published amidst budget cuts and austerity measures, it appears that there will not be a specific budgetary allocation or adequate funding available to follow up with actions to address the glaring disparity between the Traveller health status and that of the general population.

It must be noted that government policy itself is having a negative effect on health. Refugee organisations as well as medical professionals highlight the negative impact of dispersal and direct provision[60], including on the mental health

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[56] See "New Report on Migrant Women's Attitudes" at http://www.crisispregnancy.ie/news/new-report-on-migrant-womens-attitudes-toward-fertility-motherhood-and-sexual-health-services-in-ireland/

[57] Criminal Justice (Female Genital Mutilation) Bill 2011, http://www.oireachtas.ie/documents/bills28/bills/2011/0711/b0711s.pdf, accessed October 2011

[58] National Service Plan (2011), Health Service Executive, http://www.hse.ie/eng/services/Publications/corporate/nsp2011.pdf, accessed October 2011

[59] Above n23

[60] Dispersal and Direct provision is the system for the reception and accommodation of asylum seekers. Asylum seekers are accommodated in accommodation centres around the country and their basic needs are meant to be met by the direct provision of services, including the direct provision of food. Asylum seeking adults receive on 19.10 Euro. For more information on the systems and the serious concerns with it, refer to the various studies by the Irish Refugee Council on their website, www.irishrefugeecouncil.ie

of asylum seekers.[61] NGOs including the Irish Refugee Council and Akidwa continue to advocate for human rights protections of asylum seekers in accommodation centres.[62]

[61] See for example, the Report from the National Conference HSE West on Mental Health Issues affecting Ethnic Minorities and Asylum Seekers, published in 2009, available at http://www.hse.ie/eng/services/Publications/services/SocialInclusion/MentalHealthNeedsofminorityethnicgroups.pdf

[62] The Irish Refugee Council published a number of significant reports in 2012, though they fall outside of the reporting period. These are available online at www.irishrefugeecouncil.ie

6.5 Racism and related discrimination in access to goods and services

6.5.1 Manifestations of racism and related discrimination with access to goods and services in the public and private sector

Discrimination on the basis of nine grounds including 'race', religion and membership of the Traveller community are outlawed under equal status legislation. The equality body, the Equality Authority, recorded the following statistics in its annual report for 2011.

PERCENTAGE OF TOTAL QUERIES

	2010		2011	
	Queries	%	Queries	%
Employment Equality Acts	2830	33.9	1946	23.8
Equal Status Acts	2075	24.9	1639	20.0

KEY GROUNDS OF DISCRIMINATION CITED:

Employment Equality Acts		Equal Status Acts	
Gender	250 queries	Disability	224 queries
Disability	207 queries	Age	131 queries
Age	183 queries	Race	109 queries

KEY ISSUES CITED:

Employment Equality Acts Equal Status Acts		Equal Status Acts	
General Information	(485 queries)	General Information	(431 queries)
Working Conditions	(264 queries)	Provision of Services	(184 queries)
Access to Employment	(237 queries)	Educational Establishments	(104 queries)
Dismissal	(143 queries)	Accommodation	(68 queries)
Harassment	(107 queries)	Access to Pub/Nightclub	(53 queries)

Unfortunately, legislation, government policy and government actions (including financial cuts) are acting as barriers to people accessing services or securing redress where they have experienced discrimination.

Such measures include:

- The Habitual Residence Condition
- The Intoxicating Liquor Act
- Dispersal and Direct Provision
- Exemptions in the Equal Status Act
- Cuts in budget to the equality body
- Cuts to community projects that engage in awareness raising activities and support people to access their rights.

The 'Habitual Residency Condition'[63] continues to act as a barrier to accessing public sector goods and services for many migrants. Women's groups for example argue that the HRC is effectively leaving women no choice but to remain in violent domestic situations. .

6.5.2 Facilitating factor or protective measures to promote equality in accessing goods and services

Under equality legislation, discrimination in the provision of goods and services is prohibited. The Equality Authority Annual Report for 2010 shows once again, that the 'race' ground continues to be amongst the grounds most often cited in cases brought before them.[64] There continue to be problems with the fact that the definition of services under the Irish equality legislation does not include certain functions of the State, including immigration, residence process and social welfare services.

Representation of ethnic minorities is important to ensure equality of access to goods and services. The National Action Plan Against Racism 2005-2008 was among the documents that note the importance and objective of having a more representative public service for example.

There are some positive initiatives including work placements for Travellers and other ethnic minorities including migrants, in local authorities[65].

A number of initiatives were developed to try to increase representation in the public sector, e.g. in the area of policing. However, the effect of the recession on employment in the public sector including recruitment embargoes, means that these initiatives have either not been implemented or have failed to reach their original potential.

[63] The Habitual Residence Condition limits access to many state services and benefits to people who can prove that they have been habitually resident in the country for two years.
[64] See Equality Authority Annual Report 2010, launched on 9 August 2011 and available online.
[65] Local authorities across the country participate in work placement programmes.

6.6 Racism and related discrimination in political participation

6.6.1 Manifestations of racism and related discrimination in the realm of political participation

Ireland is relatively inclusive with regard to local democracy and migrants have run for local elections.

However, there are limitations with regard to national level politics and some of the difficulties concerning access to long-term residency and citizenship[66] impact on the possibility of migrants participating in national or European elections.

Aside from migration status, there are other factors impacting on political participation, demonstrated by the fact that the national Parliament is not representative of certain vulnerable groups, most notably Travellers. Only 13% of national members of parliament are women. Developments in this area include the introduction of legislation concerning quotas in election candidacy.

In its submission to the CERD, the National Traveller Women's Forum (NTWF) highlights the need for strong emphasis on the political participation of Traveller women. In response to a question by CERD regarding the political representation of Travellers, the government referred to measures mentioned in Ireland's National Action Plan Against Racism 2005-2008 regarding political representation such as a designated seat in the Seanad (the senate) and the enhanced role of Oireachtas committees (parliamentary committes). The NTWF argues that these measures have not been adequately delivered and names the cessation of the national action plan against racism as a factor.

6.6.2 Facilitating factors or protective measures to promote equality in political participation

All the major political parties signed up to ENAR Ireland's Anti Racism Political Protocol, in the run up to the last general election in 2010.

[66] See last year's shadow report for a discussion regarding long-term residency and citizenship. The Immigrant Council of Ireland and the New Communities Partnership are among ENAR Ireland members advocating and providing supports in this area, as well as local organisations such as Doras Luimni and Nasc. Their websites are good sources of up to date information on the policies and procedures and on emerging issues.

During local elections, a number of candidates from ethnic minorities were put forward by political parties. However, the success rate for ethnic minority candidates was low.

The National Women's Council and others have been campaigning for gender quotas. The NWCI also carried out research some years ago which identified the barriers to political participation, now commonly known as the 5 C's. These are cash, culture, confidence, care (including childcare) and candidate selection.

In 2012, the Irish government introduced gender targets whereby political parties are required to ensure that at least 30% of the candidates put forward for election are female. There are financial penalties in place for parties that do not meet this requirement. This is a significant development and one of a number of measures required to address both female political participation but also more equal representation in politics. On the ground, projects are underway to try to encourage female participation and to break the structural barriers. It is important, and some are conscious of this, that all women are targeted including ethnic minority women.

During the last elections, a number of migrant and ethnic minority organisations developed initiatives including voter registration campaigns. Projects are now underway to try to give a voice to 'new voters', people who have become Irish citizens through naturalisation. See section on good practice for some examples.

6.7 Racism and related discrimination in media

6.7.1 Manifestations of racism and related discrimination in the media, including the internet

The Press Council of Ireland and Office of Press Ombudsman statistics document 87 cases of complaints made on the grounds of precudice, accounting for 23.5% of the total complaints made. 36 complaints were made in 2010, accounting for 9.6%.[67]

This includes material intended to, or likely to, cause grave offence or stir up hatred against an individual or group on the basis of their race, religion, nationality, colour, ethnic origin, membership of the Travelling community, gender, sexual orientation, marital status, disability, illness or age. There is no further breakdown of these 36 complaints, and no data is available on how the cases were resolved.

[67] Press Council, Statistics, http://www.pressombudsman.ie/_fileupload/PCI%20-%20PO%20Statistics%202011.pdf

According to Eurobarometer research there is a perception among the public that the media are hesitant to express an opinion on migrants.[68] The national broadcaster, Radio Telifis Éireann (RTE), has committed to reflecting the diversity of Ireland and promoting inclusiveness and diversity.[69] Their Annual Report 2010 states that they met/exceeded their target of promoting inclusiveness and diversity, including outreach and educational initiatives.[70]

The annual report[71] of 'www.hotline.ie', an anonymous facility which enables individuals to report suspected illegal activity on the internet, states that it received three reports on issues such as racism, threats of violence against individuals, or financial scams. There is no specific breakdown on reports of instances of racism.

As noted in earlier Shadow Reports, racism on the internet is increasingly common. This is of particular concern, given that legal capacity to deal with this phenomenon is limited. The first person has been charged under section 2 Incitement to Hatred Act for material published on Facebook.[72] This case was referred to the Office of the Director of Public Prosecutions (DPP) as is necessary under the act as the DPP's directions are necessary before a prosecution can commence. The case was subsequently heard in Killarney District Court, where the prosecution failed to secure a conviction. As no stenographer was present, as is usual in District Courts, there is no written judgement available, staff from the Irish Traveller Movement who held a watching brief in the case noted that there appeared to be significant issues in interpreting the legislation and in the application of the Act in matters relating to online hate speech.

6.7.2 Facilitating factor or protective measures in the media

An Garda Síochána issued a press statement in July 2010, stating that racism on the internet would not be tolerated and will be treated seriously. However, the capacity to deal with racism on the internet is limited and while it is important that An Garda Síochána take a proactive role, this is unlikely to come to fruition if the legal framework cannot deal with these issues. ENAR Ireland and our members have called for explicit reference to the internet in incitement to hatred legislation.

The Office for Internet Safety continues to promote the self-regulation of the internet, through the Internet Service Providers Industry Association of Ireland's (ISPAI) Code of Practice and Ethics, which includes a provision to ensure that

[68] EB p25
[69] RTE Statement of Strategy 2010-2014
[70] RTE Annual Report 2010
[71] ISPAI Hotline.ie Service Annual Report 2011
[72] The Facebook page called on people to use Traveller babies as shark bait, using derogatory language.

services do not contain material likely to incite violence, racial hatred, or discrimination.

There is a Working Group on cyber-bullying (see section on education).

The review of the Incitement to Hatred Act has yet to produce any substantial results and the legislation remains ineffective. (See also the section on Criminal Justice.)

6.8 Racism and related discrimination in criminal justice

6.8.1 Policing and ethnic profiling[73]

Policing plays an important role in the protection of minority rights. The Irish police force, An Garda Síochána, have recognised this important role and have developed strategies aimed at building connections with ethnic and religious minority communities. The 'Garda Diversity Strategy' and 'Implementation Plan 2010-2012' were launched in 2010 and are ongoing.[74] However, there are some concerns regarding policing and ethnic profiling due to deficient legislation[75], and problems with data collection, and police practice. For example, the police are not required to record the ethnicity of people they stop. Therefore it is difficult to prove that ethnic profiling is practised.

Ethnic profiling and over-policing are issues that can affect all ethnic and religious minorities. The CERD Committee noted with concern the lack of legislation proscribing racial profiling by police. It recognised that many non-Irish people are subjected to police stops and recommended that legislation should be adopted to prohibit any form of racial profiling.[76]

There is mounting concern by NGOs, including those working in the area of migration and integration, that Gardaí may be practicing ethnic profiling. There is little national data on the issue of profiling; however, the European Union Minorities and Discrimination Survey (EU MIDIS) revealed high levels of police stops among many minority groups that were interviewed across Member States, including Ireland[77]. An MRCI exploratory study[78] suggests that identify documents

[73] The Open Society Institute defines "ethnic profiling" as the "use of generalisations grounded in ethnicity, race, national origin, or religion - rather than objective evidence or individual behaviour - as the basis for making law enforcement and/or investigative decisions about who has been or may be involved in criminal activity" .
[74] An Garda Síochána Annual Report 2010 p 40
[75] NGOs have argued that ethnic profiling should be explicity outlawed and that this is not currently the case.
[76] CERD para 18
[77] The EU MIDIS studies can be found on the website of the EU Fundamental Rights Agency, www.fra-europa.eu

were regularly checked for visible minorities. ENAR Ireland's racist incident monitoring system includes the category of policing/criminal justice so that people can report incidents such as ethnic profiling independently.

Generally in regard to policing, the Garda Síochána Ombudsman Commission reports that the public attitude of non-Irish nationals towards policing does not differ from that of the overall population (see shadow report 2010-2011).

Statistics from the Ombudsman are available on the website of the Office for the Promotion of Migrant Integration.[79] However, it is widely held that official records fail to adequately record the extent of the problem. Under-reporting is an international issue and one that must be addressed also in the national context.

6.8.2 Racist violence and crime

75% of the racist incidents reported to ENAR Ireland in 2011 involved racist violence and crime.

One significant challenge in this area is the lack of clear recognition of racist crime in Irish legislation. Incitement to hatred legislation is very narrow. Existing police mechanisms to record racist incidents are very limited.

An Garda Síochána can record racist motivation, when a crime is reported to them. Figures released by the Central Statistics Office show the number of such cases noted by An Garda Síochána.[80]

The Committee on the Elimination of Racial Discrimination noted that racist motivation is not consistently taken into account by judges in sentencing.[81] There is no provision for aggravated sentencing on the ground of racism, and racist crime does not exist in the legislation, although the Central Statistics Office compiles statistics on the basis of such a category.

ENAR Ireland reporting mechanism reveals that **only one in six** people who reported racist incidents to them has reported the incident to police. Research by An Garda Síochána indicates that only 18% of people were likely to report a racist incident, clearly suggesting that under-reporting is a serious concern.

Statistics collected by the police and other relevant bodies are published by the Office for the Promotion of Migrant Integration (OPMI). Relevant statistics are shown below.

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[78] Ibid. p22
[79] Office for the Promotion of Migrant Integration, www.integration.ie
[80] Data available also on the website of the Office for the Promotion of Migrant Integration, www.integration.ie
[81] CERD para 19

Overall Yearly Totals

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011
	64	68	100	173	214	172	128	127	114

A further breakdown into type of incident is available since 2006 (where five or more incidents were recorded).

	2006	2007	2008	2009	2010	2011
Minor Assault	39	50	45	30	37	35
Assault Causing Harm		17	12	13	7	20
Harassment		11	9		7	
Criminal Damage (Not Arson)	39	42	29	22	23	15
Robbery from the Person	5					
Public Order Offences	51	57	42	34	27	30
Drunkenness Offences		6				
Offences under the Prohibition of Incitement to Hatred Act (1989)	5	13	15	10		
Menacing Phone Calls			5			
Other Offences*	34	18	15	19	26	14
Totals	**173**	**214**	**172**	**128**	**127**	**114**

All incidents are provisional and may be subject to further revision.
*Further disaggregation is not possible since it may lead to the identification of individual cases.
Source: The Central Statistics Office

While official figures indicate a drop in the number of incidents reported, NGOs and community groups are concerned that this was a result of a decrease in resources available to the Gardai to address racially motivated crime. There were as many cases of racist incidents reported to ENAR Ireland and our partners in 2011, its first full year of recording incidents, as were captured by official mechanisms which have greater resources.

6.8.3 Hate speech

Hate speech is an issue of increasing visibility in Ireland. The internet is a site of concern but there have also been instances of racist statements by politicians and in the media.

Ireland's current legal provisions on hate speech are ineffective. The relevant Act, the Incitement to Hatred Act 1989, has been under review for many years but this has generated no results. Irish anti-racism NGOs including ENAR Ireland have called for the legislation to be strengthened. It should also be amended in light of challenges posed by hate speech on the internet. There is some recognition that incitement to hatred legislation may not be sufficient to cover all forms of hate speech adequately and that due consideration should be given to the introduction of racially aggravated offences.

6.8.4 Counter terrorism

There have been no significant development in the area of counter terrorism since the last shadow report. The current counter terrorism debate that is evident in a number of Member States does not have the same relevance or resonance in Ireland. There have been a few developments in this area but, arguably, they have a limited impact on ethnic and religious minorities. However, Irish society is not immune from international debate and fear and this can impact on ethnic and religious minorities in less structured ways. As indicated in earlier shadow reports,[82] the increased focus on security rather than on the rights of migrants within immigration legislation has had an impact on ethnic and religious minorities. The Immigration, Residence and Protection (IRP) Bil 2010 [83]demonstrates this focus on security[84].

Few significant developments occurred in this regard during the period under review. However, it is worth noting that in November 2009, the government established a Cabinet Committee on Aspects of International Human Rights. Its remit included reviewing, and making recommendations to strengthen, the statutory powers of the police and civil authorities regarding the search and inspection of aircraft potentially engaged in rendition.[85]

6.8.5 Facilitating factor or protective measures in criminal justice

ENAR Ireland and our local members are working proactively with police to enhance reporting of and responses to racist incidents. In 2011, ENAR Ireland organised six seminars across the country building the case for reporting racist incidents, to develop and promote its national independent system for monitoring racist incidents. Police representatives were in attendance at these seminars.

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[82] See ENAR Shadow Report: Racism and Discrimination in Ireland (2009/2010) and ENAR Shadow Report: Racism in Ireland (2008) available on http://www.enar-eu.org/

[83]Immigration, Residence and Protection Bill 2010 http://www.oireachtas.ie/documents/bills28/bills/2010/3810/b3810d.pdf, accessed October 2011

[84] See the 2010-2011 Shadow Report for more on the Bill and its limitations.

[85] Amnesty International State of the World's Human Rights Report 2009, http://report2009.amnesty.org/en/regions/europe-central-asia/ireland, accessed 24 August 2010.

As part of its city wide strategy for reporting racist incidents, ENAR Ireland has been working together with both the local authorities and police.

There are a range of legal instruments with some relevance to the area of racism as a crime. However, there is a clear gap between the legislation that is in place and the need on the ground. There are weaknesses in the incitement to hatred legislation[86] and there is limited provision in the area of aggravated sentencing.

An Garda Siochána (Irish Police) has a Garda Racial, Intercultural and Diversity Office (GRIDO) which acts as a resource to the public and to the police service. While committed and working closely with civil society organisations, the Office has limited resources with only three police officers and a recently extended mandate to cover all the equality grounds. GRIO carries out training with police. However, this is a small office serving a large police force and the amount of training they can deliver is limited. While the Office is supportive, it is over-stretched. There is anecdotal evidence to suggest that responses at a local level are inconsistent. There are also concerns that in some instances the ethnic liaison officer is also the immigration officer. Indeed, police are also limited in their response as a result of issues with the legal system and the scope of legislation that is in place.

Irish NGOs have long held hopes that the EU Framework Decision on Racism and Xenophobia would help ensure that progress would be made in the area of racist crime. However, until 2010 there has been little public debate. ENAR Ireland has instigated debate on the EU Framework Decision by highlighting it in the media, raising the question with officials and holding a seminar. The initial response by the Government was that Ireland complies with the Framework Decision. While officials have continued to engage with ENAR Ireland on this issue, the government's position remains the same, although NGOs have identified clear areas where Ireland's legislation does not appear to comply even with minimum standards and should certainly be strengthened.

[86] See the report of ENAR Ireland's seminar on "EU Framework Decision on Racism and Xenophobia, issues and opportunities", available online at www.enarireland.org

7. Civil society assessment and critique in ensuring protection of fundamental rights

This report reveals a complacency concerning racism and at best, an ill-founded optimism that Ireland's approach to racism is different and that we are protected from the trends that have led to extremism or dramatic increases in racism in other EU Member States. This complacence denial and active diminishing of our capacity to address racism and is a cause for serious concern; particularly in the face of risk factors likely to lead to racism including the recession and the daily incidents that confirm that racism is part of everyday life for ethnic and religious minorities.

The serious economic considerations faced by the Government have unfortunately been met by a deprioritisation of equality and anti-racism, at a time when these measures are arguably most necessary.

The situation regarding Travellers and migrants testify to this pessimistic assessment.

We must again note the continued lack of official recognition of Traveller ethnicity, despite commentary by international bodies and admirably sustained efforts on the part of the Traveller community and Traveller NGOs. This situation must be resolved as a matter of urgency

Long-awaited codified legislation on immigration has yet to become a reality. The last barrier to the enactment of legislation was the general election. The Immigration, Residence and Protection Bill which was expected to be passed in 2010, came to another abrupt halt with the change of Government early in 2011. There were, however, significant issues with the Bill, as noted in previous reports (2009 and 2010). It is important to note that, amongst others, the legislation lacks provisions relating to domestic violence, unaccompanied minors and family reunification. At the time of writing the IRP Bill has still not yet passed into law.

Migration on a significant scale is considered by many to be a recent phenomenon to Ireland. However, there is now a second generation in Ireland who have not been adequately considered in policy or legal developments and now face many obstacles in terms of their residency and citizenship status and accessing normal services such as third level education.

Serious challenges face the country. The community infrastructure developed since the 1980s and the broader equality infrastructure first introduced in the late 1990s have face considerable cuts or obliteration. Without the support of communities and their organisations, these challenges become even greater. Equality has been presented as a luxury that we can no longer afford; the reality

is that racism is the price we cannot afford and that equality is a key building block for a recovering economy and societal cohesion.

8. Good practices

Example of NGO Good Practice in Employment

The Domestic Workers Action Group with the MRCI is actively campaigning to ensure that the Irish government supports the ILO Convention on domestic work.

See www.mrci.ie

Example of NGO Good Practice in Education

The Irish Traveller Movement Yellow Flag Project brings issues of interculturalism, equality and diversity into both primary and secondary schools. The project is ongoing and spreading across more schools in the State.

See www.itmtrav.ie

Example of NGO Good Practice in Housing

Crosscare (formerly the Vincentian Refugee Centre) have started to advocate for targeted measures to address racism in the private rental sector. They are also partners with ENAR Ireland on its work monitoring racist incidents and feed the reports they receive locally to ENAR Ireland.

See www.crosscare.ie

Example of NGO Good Practice in Health

Akidwa has successfully achieved its goal of securing legislation outlawing female genital mutilation in Ireland after a long campaign which involved direct work with women, research, training, advocacy and lobbying.

See www.akidwa.ie

Example of NGO Good Practice in Access to Goods and Services

ENAR Ireland developed its racist incident recording system in a way that would allow not only individual, violent acts of racism to be recorded but also it document racist incidents in the access to goods and services.

See www.enarireland.org

Example of NGO Good Practice in Promoting Political Participation

ENAR Ireland members have proactively utilised the Anti-Racism Political Protocol. As preparations begin for the local elections in 2013, activity in promoting the protocol during election time is underway. Political parties' commitment to the protocol has also been useful when politicians issue racist statements as elected representatives**.**

See www.enarireland.org

The Immigrant Council of Ireland is carrying out a survey of 'new voters', giving a voice to the new Irish in the political arena.

See www.immigrantcouncil.ie

Example of NGO Good Practice in Media

NEAR FM, a Dublin based radio station, has an intercultural project, "Intercultural Dialogue"

The Near Media Coop is a democratic, not for profic community media initiative based in Dublin. It provides an alternative to mainstream media by offering an outlet for those underrepresented or excluded through training and access to distribution facilities.

See www.nearfm.ie and http://getaheadblog.wordpress.com/2012/04/11/near-fm-intercultural-dialogue-through-community-media/

Example of NGO Good Practice in Criminal Justice

ENAR Ireland launched a petition calling on the government to recognise racist crime in Irish legislation. This is part of a campaign to ensure that racism is explicitly recognised in the law and that aggravated sentencing becomes a reality. It also seeks to ensure adequate legislation to address incitement to hatred and due consideration to be given to other forms of hate speech.

See www.enarireland.org

9. National recommendations

General

Anti-racism and anti-discrimination

- Implement recommendations of the CERD Committee (March 2011).
- The Government must recognise the distinct ethnic identity of Travellers.
- Ensure the inclusion of Travellers in all initiatives designed to address racism and promote social inclusion.
- Restore the capacity of the Equality Authority through adequate funding.
- The issue of racism must be fully recognised by government and specific measures to address racism must be introduced, for example, through a comprehensive follow-up mechanism to the NPAR.
- Enable the development of effective strategies to respond to multiple discrimination.

Migration and integration

- Ratify the UN Convention on the rights of migrants and their families.
- Stop the current practices of detention of asylum seekers, in light of the HRC concluding observations and NGO concerns.
- Provide core funding to groups working with migrants on integration.
- Restore child benefit to asylum seekers.
- Ensure that minors can never be detained in adult facilities on the basis of an irregular migration status.

Special Focus: Muslim Communities

- Enhance data collection mechanisms (and awareness of same) to identify issues affecting Muslim communities.

Employment

- Address issues in migration policy and legislation that lead to workers remaining in exploitative situations or becoming undocumented.
- Ensure greater speed in resolving cases brought under the equality legislation.
- The Irish Goverment should support the ILO Convention on domestic work.

Education

- Ring fence resources for the implementation of the Intercultural Education Strategy.
- Address the legal status anomaly for children of migrant parents who have been living in Ireland, which leaves them subject to foreign fees and effectively precludes them from access to third level education.

Housing

- Ensure implementation of Government policy on accommodation for Travellers.
- Abolish Dispersal and Direct Provision.
- Abolish the Habitual Residency Condition.
- Give due consideration of a Private Property Renting Licence mechanism.

Health

- Ensure follow up to the issues identified in the All Island Traveller Health Study are a policy, practice, and resource priority.
- Abolish Dispersal and Direct Provision policy.

Access to goods and services

- Continue to improve existing data collection to enable meaningful categorisation and data disaggregation.
- Ensure the inclusion of Travellers in all initiatives designed to address racism and promote social inclusion.
- Extend the definition of services in the equality legislation to include immigration and other aspects of law enforcement.
- Ensure that all policies that impact on the lives of ethnic and religious minority groups are equality and poverty proofed and take account of multiple forms of discrimination, such as those experienced by women.
- Abolish the Habitual Residency Condition. In the interim, provide exemptions so that women experiencing domestic violence can access necessary services and support to live independently.

Criminal justice

- Greater consideration needs to be given to options for the inclusion of racism as an aggravated factor in legislation and to ensuring longer sentences where a criminal act was racially motivated.
- Strengthen our capacity to prevent and address hate speech including through the strengthening incitement to hatred legislation.
- A holistic approach to the implementation of the law, with all stakeholders – including the police and the judiciary – playing their role to the full is essential.
- Ensure monitoring at points of entry (land, sea and air) and in the provision of data. NGOs should also be allowed to be present at points of entry for independent monitoring.
- Ensure that new immigration legislation does not facilitate ethnic profiling, directly or indirectly.

Media

- Strengthen the Incitement to Hatred legislation, including its capacity to address racism on the internet.

10. Conclusion

This report reveals a complacency concerning racism and at best, an ill-founded optimism that Ireland's approach to racism is different and that we are protected from the trends that have led to extremism or dramatic increases in racism in other EU Member States. This complacence denial and active diminishing of our capacity to address racism and is a cause for serious concern; particularly in the face of risk factors likely to lead to racism including the recession and the daily incidents that confirm that racism is part of everyday life for ethnic and religious minorities.

The serious economic considerations faced by the Government have unfortunately been met by a deprioritisation of equality and anti-racism, at a time when these measures are arguably most necessary.

2011-2012 saw two positive developments however, with regard to long standing commitments including the enactment of legislation outlawing female genital mutilation and the instigation of the Forum on Patronage in education.

However, serious concern must be noted regarding the intolerable delays in introducing comprehensive legislation on immigration, the recognition of Traveller identity. In addition, there has been little meaningful response to the serious concerns expressed by NGOs, international bodies and other professionals on the asylum dispersal and direct provision policy or the very questionable low recognition rate for refugee status.

Racism and ant-racism must be placed back on the political agenda. There are some opportunities within the Programme for Government, given its focus on equality. However, the Government needs to make explicit reference to racism and related forms of discrimination experienced by ethnic and religious minorities in its implementation.

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Annex 1: List of abbreviations and terminology

ACFC	Advisory Committee on Framework Convention on the Protection of National Minorities
BAI	Broadcasting Authority of Ireland
CBP	EU 11 Common Basic Principles on Integration
CCPR	International Covenant on Civil and Political Rights
CEDAW	Committee for the Elimination of Discrimination Against Women
CERD	Committee for the Elimination of All Forms of Racial Discrimination
CPA	Combat Poverty Agency
CSO	Central Statistics Office
DEIS	Delivering Equality of Opportunity in Education
ECHR	European Convention on Human Rights
ECRI	European Council on Racism and Intolerance
EEA	European Economic Area
ELO	Ethnic Liaison Officers
ERA	Equality and Rights Alliance
FAI	Football Association of Ireland
FLAC	Free Legal Advice Centres
FRA	European Union Fundamental Rights Agency
GMS	General Medical Service
GNIB	Garda National Immigration Bureau
GP	General Practitioner (medical doctor)
GRIDO	Garda Racial, Intercultural and Diversity Office
GSOC	Garda Siochána Ombudsman Commission
HRC	Habitual Residency Condition
HRC	Human Rights Committee
HSE	Health Service Executive
IBEC	Irish Business and Employers Confederation
ICCL	Irish Council for Civil Liberties
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICI	Immigrant Council of Ireland
ICTU	Irish Congress of Trade Unions
IGO	International Governmental Organisation
IHRC	Irish Human Rights Commission
INIS	Irish Naturalisation and Immigration Service
INTO	Irish National Teachers' Organisation
IRC	Irish Refugee Council
IRP	Immigration, Residence and Protection Bill
MIPEX	Migrant Integration Policy Index
MRCI	Migrants' Rights Centre Ireland
NERA	National Employment Rights Agency
NESC	National Economic and Social Council
NCCA	National Council for Curriculum Assessment

NCCRI	National Consultative Committee on Racism and Interculturalism
NPAR	National Action Plan Against Racism
NTACC	National Traveller Accommodation Consultative Committee
NTWF	National Traveller Women's Forum
NUJ	National Union of Journalists
OMI	Office of the Minister for Integration / Office for the Promotion of Migrant Integration
ORAC	Office of the Refugee Applications Commissioner
PPF	Programme for Prosperity and Fairness
RAT	Refugee Appeals Tribunal
RIA	Reception and Integration Agency
SARI	Sport Against Racism Ireland
SRRC	Show Racism the Red Card
TUI	Teachers Union of Ireland
VEC	Vocational Education Committee
VRC	Vincentian Refugee Centre

Note on terminology: the terms 'ethnic and religious minority groups', 'ethnic minority groups' and 'religious minority groups' are used throughout the report in the interest of facilitating consistency at a European level. However, other terms are used when necessary where referring to specific pieces of legislation, e.g. 'race' is one of the grounds on which discrimination is prohibited in the equality legislation; the Immigration, Residence and Protection Bill refers to the term 'foreign nationals'. Where the term ethnic and religious minority groups is used, Travellers are included. However, as the Government does not recognise Travellers as a distinct ethnic group it is sometimes deemed necessary to use the term 'ethnic minority groups including Travellers' to ensure that it is understood that the point is also relevant to Travellers.

The Police Force in Ireland is referred to as "An Garda Síochána", meaning "keepers of the peace" in the Irish language. The relevant terms, An Garda Síochána, Gardaí (police plural) and Garda (police, singular) are used throughout the report.

The equivalent of the Parliament in Ireland is "Dáil Éireann", from the Irish language. The terms "Dáil Éireann" or simply, "the Dáil" are used occasionally in the report.

Oireachtas Committees are cross-party Committees which bring together elected representatives regardless of political party, on specific areas such as Justice and women's rights or health and children. For more information, see www.oireachtas.ie

The main political parties in Ireland include Fianna Fáil, Fine Gael, Green Party, Labour Party, Sinn Féin, Socialist Party. The government for the majority of this shadow reporting period was a coalition between Fianna Fáil and the Green

Party. A new Govenrment – a coalition between Fine Gael and Labour – was elected in February 2011.