

spectrum

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The Journal of the National Consultative Committee on Racism and Interculturalism



Challenging Racism: International and European context



NCCRI

What is the NCCRI?

The National Consultative Committee on Racism and Interculturalism (NCCRI) was established in 1998 as an independent expert body on racism. It is a partnership body, which brings together government and non-government organisations to develop initiatives and to provide expertise in tackling racism and promoting interculturalism. The overall role of the NCCRI is

- To develop an integrated and strategic approach to racism, to focus on its prevention and to foster interculturalism within Ireland
- To inform policy development and seek to build consensus through dialogue in relation to the issues of racism and interculturalism
- To promote the understanding and celebration of cultural diversity within Ireland
- To establish links with other organisations or individuals involved in issues of racism and interculturalism arising from developments at European and international levels.

Spectrum is a publication of the National Consultative Committee on Racism and Interculturalism (NCCRI).

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Staff Update

Philip Watt, Director of the NCCRI, is currently on temporary secondment to the Department of Justice, Equality and Law Reform to assist in the drawing up of the National Action Plan Against Racism. Kensika Monshengwo will be Acting Director during the period of the secondment.

Anna Visser has been appointed Research Officer for RAXEN. In a joint initiative with the Equality Authority, the NCCRI is the National Focal Point in the RAXEN Network. The role of the network is to collect, comment, review and submit to the European Monitoring Centre on Racism and Xenophobia (EUMC) data on racism, xenophobia and anti-semitism in the EU Member States. Before joining the NCCRI Anna worked with the Human Rights Unit in the Department of Foreign Affairs and was a project officer with the Initiative on Conflict Resolution in Northern Ireland. Anna has a BA in Political Science and Sociology from the National University of Ireland, Galway and completed an MA at the University of Birmingham.’

Notice

The term ‘race’ has been used in the past in an attempt to rank people according to physical and biological criteria. Nowadays, ‘race’ is often written in inverted commas to underline the difficulty in defining that term. The legacy of history has to be taken into account, if one wants to understand racism; the holocaust, slavery and colonisation are specific forms of oppressions based on power and racism. The term ethnic group is more appropriate than ‘race’ as such. The concept of ethnicity has superseded the concept of ‘race’. However in the articles of Spectrum the term race may have been employed in the implicit recognition of the aforementioned.

International Dimension

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

ICERD is the most important international instrument in relation to racism. The first report from Ireland has been published and a public consultation took place on July 15 2003. The outcomes from this seminar will be appended to the report, which is due to be submitted to the United Nations. This and future reports provide an opportunity from which to benchmark progress against racism in future years including monitoring the effectiveness of the forthcoming National Action Plan Against Racism (NAPAR).

The Convention

Racial discrimination was one of the concerns behind the establishment of the United Nations and has always been one of its major areas of attention. The International Convention on the Elimination of All Forms of Racial Discrimination was adopted by the UN General Assembly in 1965 and entered into force in 1969. Such thematic treaties are drafted because the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) cannot deal with all the issues that are relevant to particular vulnerable groups (such as ethnic minorities) without further elaboration. Thematic treaties do not create new international law but refine a state's existing obligations under either or both the ICCPR and the ICESCR and to give clearer expression to the underlying principles, in this case the principle of non-discrimination on the grounds of race.

Article 1 of the Convention defines racial discrimination as "any distinction, exclusion, restriction or preference based on race, colour, descent, national or ethnic origin with the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights in any field of public life, including political, economic, social or cultural life." It is significant that this definition encompasses a much wider range of grounds on which discrimination can take place than that commonly referred to as 'race'. It is also significant that the definition includes the language 'purpose or effect' covering not only intentional discrimination but also laws, norms and practices which appear neutral but result in discrimination in their impact.

State Responsibilities

Ireland ratified the Convention in January 2001. Parties to the Convention agree to:

- Eliminate discrimination in the enjoyment of civil, political, economic, social and cultural rights
- To provide effective remedies against any acts of racial discrimination through national tribunals and state institutions
- To undertake not to engage in acts or practices of racial discrimination against individuals, groups of persons or institutions and to ensure that public authorities and institutions do likewise



- To undertake not to sponsor, defend or support racial discrimination by persons or organizations
- To review government, national and local policies and to amend or repeal laws and regulations which create or perpetrate racial discrimination
- To prohibit and put a stop to racial discrimination by persons, groups and organisations
- To encourage integration or multiethnic organisations, movements and other means of eliminating barriers between races as well as to discourage anything which tends to strengthen racial divisiveness.

ICERD Committee

The Committee on the Elimination of Racial Discrimination was established by the Convention to ensure that States parties fulfil their obligations. It is composed of 18 experts, acting in their personal capacity, who are nominated and elected by States parties for a four year term.

The Committee monitors the implementation of the Convention by examining reports submitted by States parties which are due every two years. Each state report receives the attention of a member designated as Country Rapporteur. He or she undertakes a detailed analysis of the report for consideration by the Committee and leads the discussion with the representatives of the State party. The Committee has also developed an urgent action and prevention procedure under which situations of particular concern may be examined. In order to prevent long overdue reports, if a report is more than five years overdue, the Committee may examine the country situation in the absence of a report. The Committee meets in two sessions annually in Geneva, in March and August, each of three weeks duration. When the Committee meets to consider a state report, NGOs and other interested parties can make submissions to it. Further details about making submissions to the Committee in relation to Ireland's first report under CERD are available from the Human Rights Unit in the Department of Foreign Affairs, tel: 01-4082210.

The Committee examines individual communications concerning violations of the Convention by States parties which have accepted the optional complaints procedure under article 14 of the Convention. The procedure concerning communications from individuals or groups claiming to be victims of violations of the Convention came into operation in 1982. Where a State party has accepted the competence of the Committee, such communications are confidentially brought to the attention of the State party concerned but the identity of the author is not necessarily revealed. When the State has given an explanation of its views and perhaps suggested a remedy, the Committee debates the matter and may make suggestions and recommendations which are transmitted both to the individual or group concerned and to the State party. Ireland has recognised the competency of the Committee to consider individual complaints. Full details of this procedure are available from the website of the Office of the High Commissioner for Human Rights in Geneva, available at www.unhcr.ch

For further information on Ireland's first report on CERD, contact the Equal Status Division, Department of Justice, Equality and Law Reform, Bishops Square, Dublin 2. Tel. 01-4790200. The Northern Ireland Human Rights Commission and Irish Human Rights Commission are to publish a basic handbook on CERD this summer. Contact the Human Rights Commission, 17-19 Hatch Street, Dublin 2. 01-647 2562.

National Action Plans Against Racism

The Programme of Action from the World Conference Against Racism (2001) urges States "to establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance.¹ In May 2002 the United Nations General Assembly passed a resolution (Resolution 56/266) urging states to progress with their Plans. In February 2003 five global experts were appointed but their role and remit have yet to be announced. Many EU states and other countries have developed or are in the process of developing National Action Plans. For more information on developments at global level, log onto the website of the United Nations High Commissioner for Human Rights at www.unhchr.ch

The Department of Justice, Equality and Law Reform have just published the summary of the outcomes of the consultation process undertaken between May 2002 and February 2003. The aim of the summary is to present the key outcomes of the consultation through a structured framework that will identify clear aims, objectives, key issues and priorities and indicative actions. The framework structure includes the overall aims, the five strategic objectives of Protection, Inclusion, Provision, Participation and Recognition and the approach that is advocated for the effective implementation of the Plan. The Irish Government hope to publish the Plan in 2004. The completed plan will then be submitted to the United Nations.

You can access Diverse Voices on www.justice.ie under the link 'National Action Plan Against Racism'. It is also available in hard copy from the Department of Justice, Equality and Law Reform, tel 01-4790272.

International Dimension continues over the page.

Endnotes

1. See Paragraph 66 of Programme of Action. www.unhchr.ch.



Women participating in a training workshop on CEDAW, delivered by a member of the UN CEDAW Committee Dr Hanna Beate Schopp Schilling. Photo: Women's Human Rights Project/Noirin Clancy

CEDAW: Towards the Promotion and Protection of Women's Human Rights by Noirin Clancy

Ireland has just published its report under the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). CEDAW is a powerful tool for articulating, advocating and monitoring women's human rights including women from ethnic minorities. It is one of the most important legal tools available to help alleviate problems faced by women globally, writes Noirin Clancy.

'the eradication of apartheid, all forms of racism, racial discrimination, colonialism...is essential for the full enjoyment of the rights of men and women' (CEDAW Preamble, cl.10)

Over the past decade, Ireland has become an increasingly unequal society and there has been a greater need than ever before for vulnerable and marginalised groups to be aware of their rights and to hold the government accountable for the international human rights

agreements they have signed up to. While significant progress has been achieved over the past decade to improve women's conditions and access to resources, the basic structure of inequality between men and women has not changed.

Women's economic, social and cultural rights continue to be neglected. Women's earnings in industry remain 30% below men's; 91% of TDs are men and 97% of county and city managers are men. With the changing composition of our society, Black women and minority ethnic women including Traveller women face not only gender discrimination but racism. Migrant workers, in particular women, are vulnerable to exploitation and few are informed of their rights in Ireland.

CEDAW

Given the serious gender inequalities which still exist, we need as many tools as possible to fight discrimination. One such tool is CEDAW, the Convention on the Elimination of All Forms of Discrimination Against Women which was drawn up by the UN in 1979. Also known as "the Women's Convention," it is, in essence, an international bill of rights for women and is the first treaty to comprehensively address women's rights within political, economic, social, cultural, and family life.

The Convention explicitly acknowledges that "extensive discrimination against women continues to exist", and emphasizes that such discrimination "violates the principles of equality of rights and respect for human dignity". As defined in article 1, discrimination is understood as "any distinction, exclusion or restriction

made on the basis of sex...in the political, economic, social, cultural, civil or any other field”.

This comprehensive definition of discrimination is meant to address the multifaceted nature of problems women face. Minority ethnic women face not only racial discrimination but have to deal with gender discrimination and, as a result, face different barriers than men from these groups. CEDAW recognises this ‘intersectional approach’ which addresses the way in which racism, sexism, class oppression and/or other kinds of discrimination overlap. A minority ethnic woman on low income living in a rural area may face several social, economic and cultural barriers to access services – lack of transport, inaccessible information and language, affordability and insensitivity towards cultural needs, to mention some of the initial hurdles to be overcome. The intersectional approach takes into account the particular experiences of discrimination that needs to be acknowledged and remedied.

The articles of CEDAW are very wide-ranging, starting with a definition of discrimination and then focusing on specific issues, such as rights to health care, education, and employment but they exist in an understanding that one will inevitably impact upon the other.

Ensuring governments implement CEDAW

It is easy for governments to sign UN treaties, such as CEDAW, but how does the UN ensure these treaties are translated into action? When a country ratifies an international treaty it must submit periodic reports to the UN where it outlines progress it has made in implementing the treaties. Ireland ratified CEDAW in 1985 and has recently submitted its 4th and 5th combined report to the CEDAW Committee in New York.

Shadow Reports

NGOs (non-governmental organisations or voluntary groups) have a very important role in monitoring governments’ implementation of UN treaties. Like other UN Committees, the CEDAW Committee welcomes input from NGOs and relies on alternative or shadow reports, which often provide an alternative account of what is happening on the ground. Such reports help the Committee to assess the governments’ official report and identify where improvements are needed. Government representatives are then interviewed anytime from six to eighteen months after the submission of their report. While the UN does not have the power to sanction governments if they are not fully implementing the treaties they have ratified, they can ‘name and shame’ and embarrass governments at international level.

The Women’s Human Rights Project is co-ordinating the production of a Shadow Report which it plans to have completed by December 2003. A survey among women’s groups identified four priority areas for inclusion in the report – health; violence against women; political representation; barriers to education and employment.

Using CEDAW

NGOs are increasingly using rights based approaches to press for change and, as part of this approach, international agreements which Ireland has signed relating to discrimination, economic, social and cultural rights and the rights of the child can be used as very effective lobbying tools. Information on these treaties can be downloaded from the Office of the High Commissioner of Human Rights at www.unhchr.ch

To become more informed of CEDAW you can:

- Download the text of the Convention from www.un.org/womenwatch/daw/cedaw
- Get a copy of the CEDAW Government report from the Equality Division of the Dept. of Justice, Equality & Law Reform
- Organise an information session on CEDAW within your own organisation or network.
- Use CEDAW in your work – quote relevant articles in policy submissions/documents to various government initiatives (e.g. National Action Plan Against Poverty), funding applications, and at training workshops

CEDAW is important because it

- puts women’s rights on the political agenda
- can be used to demand accountability from the government
- is an important lobbying tool for women’s empowerment
- enables women’s groups and organisations to use a human rights framework by contributing to the shadow report, using CEDAW articles in policy/budget submissions, funding applications etc.
- can enhance media coverage of women’s issues
- can build solidarity among women’s groups and organisations nationally and internationally

What is the Women’s Human Rights Project?

The Women’s Human Rights Project (WHRP) is an independent organisation established in 2002 and funded under the National Development Plan’s Equality for Women Measure. The main objectives of the Project are to raise awareness of women’s human rights issues, provide information on key UN documents and build the capacity of women NGOs to engage in policy decision making, monitoring and implementation within a human rights framework.

The Women’s Human Rights Project (WHRP) plan to organise regional workshops in autumn 2003 where participants will have an opportunity to critically assess the government report and contribute to the Shadow Report. Contact the WHRP to be put on a mailing list for information and to obtain copies of the CEDAW brochure. Noirin Clancy, Project Co-ordinator 091-764372.

The Department of Justice, Equality and Law Reform: “Diverse Voices: A Summary of Outcomes of the Consultative Process for the National Action Plan Against Racism”, available on www.justice.ie, has a specific focus on the needs of ethnic minority women.

Endnotes

2. *National Action Plan Against Racism Steering Group; Diverse Voices: A Summary of the Outcomes of the Consultative Process and a Proposed Framework for the National Action Plan Against Racism. Stationery Office.*

EUROPEAN UPDATE

Transposition of the Race Directive

The last issue of Spectrum provided an overview of the 'Race' Directive (Council Directive Implementing the Principle of Equal Treatment between Persons, irrespective of Racial or Ethnic Origin – Directive 2000/43/EC). As stated in that article, Member States have until 19th July 2003 to transpose the Directive into their law. So will Ireland comply with the deadline says Dave Ellis.

It now appears that a sizeable number of EU Member States, including Ireland, will fail to meet the 19th of July deadline. The Minister for Justice, Equality and Law Reform, Michael McDowell, TD in a written Dail reply in May 2003 stated:

*'The Government has approved the drafting of legislation to amend the Employment Equality Act 1998 and the Equal Status Act 2000 to give effect to the three EU equality directives namely Directives 2000/43/EC, Race Directive, 2000/78/EC Framework Employment Directive and 2002/73/EC Gender Equal Treatment Directive...The Government is committed in the new Partnership Agreement "Sustaining Progress" to have the amending legislation enacted as soon as possible.'*¹

Both the Framework Employment Directive and the Gender Equal Treatment Directive have later transposition deadlines than the Race Directive. For example, in the case of the Framework Employment Directive, which covers equal treatment in employment on grounds of religion or belief, disability, age or sexual orientation, the deadline is December 2003.

The Department of the Taoiseach's website states that the expected publication date for the Bill to amend the existing equality legislation is 'late 2003'.

In a press release² in May 2003, the Minister announced the main provisions of the Bill. The proposals of particular relevance to the Race Directive are:

- Extension of the scope of the Employment Equality Act 1998 to self-employment
- Extension of positive action to all grounds covered by existing equality legislation, including the race ground
- Amending the current exclusion from the terms of the Employment Equality Act 1998 of employment in private households
- Change in the burden of proof in relation to the Equal Status Act 2000
- Admitting a person to choose any persons including an organisation to represent him/her before the Equality Tribunal in a case under the Equal Status Act 2000

This list gives rise to a number of questions and concerns. Firstly it is difficult to understand why the reference to the shift in the burden of proof appears only

under the heading of the Equal Status Act 2000. The effect of this shift is to place the onus of proving that there was no discrimination on the alleged perpetrator once the claimant has established a prima facie case. The Race Directive requires that this shift in the burden of proof should apply to all cases coming within its scope including the employment area. As a result it would appear that an amendment is required to cover this requirement in the Employment Equality Act 1998 as well as the Equal Status Act 2000. This view is supported by the Equality Authority which in its submission to the Minister recommended that both Acts should contain a provision allowing for the shift in the burden of proof.³

Secondly admitting a person to choose his/her representation before the Equality Tribunal is welcome, although it appears that this is broadly the practice already. However limiting the provision to the Equal Status Act 2000 is again difficult to understand. The Directive states that:

*'Member States shall ensure that associations, organisations or other legal entities, which have, in accordance with criteria laid down by their national law, a legitimate interest in ensuring that the provisions of this Directive are complied with, may engage, either on behalf or in support of the complainant, with his or her approval, in any judicial and/or administrative procedure provided for the enforcement of obligations under this Directive.'*⁴

The requirement in the Directive therefore applies to employment cases as well as non-employment cases and applies to all proceedings whether judicial or administrative. As a result the Bill should deal with the issue of choice of representation not only in relation to the Equality Tribunal but also before the Labour Court and the courts. This will become of particular importance if the proposal to move discrimination cases involving licensed premises from the Equality Tribunal to the District Court goes ahead.

The press release also gives rise to a number of concerns. It makes no mention of a number of the issues which were addressed in the earlier issue of Spectrum. For example:

1. the need to incorporate the fortified definition of indirect discrimination into both the Employment Equality Act 1998 and the Equal Status Act 2000
2. the need to amend the existing time limit on commencing claims under the Equal Status Act 2000, currently two months
3. the need to remove existing ceilings on compensation under both Acts, for example, the present ceiling of 12,697.38 in cases, under the Employment Equality Act 1998, of discrimination prior to recruitment
4. Although reference is made to amending the exclusion of employment in private households, there are a number of other exclusions in both Acts which will need revisiting, for example, the 'public order' exemption in the Equal Status Act⁵

The likely failure of Ireland to transpose the Race Directive by the deadline in July is by no means an inconsequential matter. The Directive requires important changes in our existing legislation which will enhance the protection available to persons experiencing discrimination on the grounds of race. For example, the position of migrant workers employed in private households has been highlighted in the recent past; a change in the exclusion of employment in private households from the protection of the Employment Equality Act 1998 is required by the Directive and has been accepted by the Government. So long as the necessary amending legislation is not enacted an extremely vulnerable section of the workforce will remain unprotected.

Similarly any possibility that there would be a delay in enacting the shift in the burden of proof is a cause for concern. The Equality Tribunal, as a matter of practice, applies the rule at present. However if discrimination cases involving licensed premises were moved to the District Court before the amending legislation was passed, there must be some doubt that the District Court would apply the shift in the burden during the interim in the absence of specific legislative authority.

The State is under an obligation to transpose the Race Directive by the deadline set. The European Court of Justice has held that a Member State might be liable in damages in respect of loss and damage which was directly caused by the State's failure to implement a directive which conferred directly enforceable rights. However, from a practical viewpoint, this may be of little comfort to a person, who finding him/herself discriminated against on grounds of race, is unable to avail of the provisions of the Directive due to the delay in its transposition.

There is a clear need for the Government to publish the Bill implementing the Directive without delay and ensure its enactment by the deadline. The indicated publication date in late 2003 should be viewed as an unacceptable delay, particularly in view of earlier Government commitments to meet 19th July deadline.

Endnotes

1. Dail written reply 13/05/03.
2. Department of Justice, Equality & Law Reform, Press Release 09/05/03.
3. Overview of the EEA 1998 and the ESA 2000 in the light of the Transposition of the European Union Race Directive, Framework Directive and Gender Equal Treatment Directive – Equality Authority (2002) p12.
4. Article 7(2) Race Directive.
5. ESA 2000, Section 15(1).

Dave Ellis is Legal Consultant with Community Legal Resource. [Upon going to print, Ireland did not transpose the Race Directive by the 19th of July deadline.]

ECRI Recommendation No. 7

ECRI's new General Policy Recommendation no.7 on national legislation to combat racism and racial discrimination.

By Michael Head, Chairperson, European Commission Against Racism and Intolerance (ECRI)



Early this year, on 17 February 2003, the European Commission against Racism and Intolerance (ECRI) of the Council of Europe released its latest General Policy Recommendation, concerning national legislation to combat racism and racial discrimination. It contains the elements which ECRI considers should feature in the national legislation of the member States of the Council of Europe in order to combat racism and racial discrimination effectively.

In recent years, the fight against racism and racial discrimination has been high on the world and European political agenda. The World Conference against Racism held in Durban in August-September 2001 highlighted the role of national legislation as an indispensable tool, albeit not sufficient alone, to fight against racism and racial discrimination. In June 2000, the European Union adopted two directives aimed at combating discrimination on different grounds, including race and ethnic origin. Moreover, in November 2000 Protocol No 12 to the European Convention on Human Rights was adopted, containing a general non-discrimination clause.

With its new Recommendation – the seventh in its series of General Policy Recommendations addressed to all member States of the Council of Europe – ECRI intends to make a positive contribution to the international debate on these issues, and in particular to provide an outline of useful legal provisions at a moment when most of the member States of the Council of Europe are engaged in the process of reviewing their anti-discrimination legislation.

In a context in which European societies are increasingly characterised by diversity and population movements globally and within Europe are on the rise, ECRI's Recommendation calls for the strengthening of legal tools aimed at guaranteeing protection of individuals against racism and racial discrimination and at promoting genuine equality of all persons. Thus, ECRI calls for more effective legal protection from acts of racism and discrimination on the basis of race, colour and national or

ethnic origin, but also of language, religion and nationality.

In many aspects this new General Policy Recommendation goes further than existing international standards. Amongst the most significant additions are:

1. The inclusion of nationality (meaning citizenship of a country), religion and language among the grounds of racism and discrimination covered by the anti-discrimination protection;
2. The application of the prohibition of discrimination to a very broad range of areas, including the activities of the police and border control officials;
3. The attribution of more extensive powers to the national specialised bodies to combat racism and racial discrimination;
4. The establishment of a positive duty on public authorities to promote equality and to prevent discrimination in carrying out their functions. Moreover it does not only address discrimination, i.e. differential treatment, but also all other legal aspects of the fight against racism, including racist expressions, racist organisations and racially motivated offences. It covers thus all branches of the law, constitutional, criminal, civil and administrative.

ECRI's Recommendation constitutes a unique opportunity for member States to review their legislation by taking into account the suggestions contained therein. Last but not least it also provides extremely valuable support for all stakeholders in the process of anti-discrimination legal reform in pushing for further changes.

Copies of ECRI General Policy Recommendation No. 7 (adopted 13 December 2002) are available from ECRI, Council of Europe, F-67075, Strasbourg, France. www.coe.int/ecri

Convention on the Future of Europe: Draft Constitutional Treaty

The latest version of the draft constitution treaty for the European Union sets out the aims of the EU and outlines the areas where nation states retain their sovereignty and the areas where the EU states should work together. In the latest text of 10 June 2003 the principle of non-discrimination is included in the objectives of the EU. "It [The Union] shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations.....". The principles of equality and non-discrimination are specifically mentioned in the section on EU values. "The Union is founded on the value of respect for human dignity, liberty, democracy, the rule of law and respect for human rights. These values are common to the member states in a society of pluralism, tolerance, justice, equality, solidarity and non-discrimination."

Art. II-21/1 of the draft Treaty states that "any discrimination based on any ground such as sex, race,

colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited", the right not to be discriminated against. In Art. III-5 of the draft Treaty of 27 May 2003 it states that the European Council, acting unanimously and after consultation with the European Parliament, may establish measures need to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. This article is similar in content to Article 13 of the Amsterdam Treaty but does not afford the same high level of protection and obligation on Member States in terms of policy making.

Article III-1a which was a new article inserted into the text of 11 June 2003 is a step forward in terms of mainstreaming equality measures. It states that "in defining and implementing the policies and activities referred to in this Part of the Constitution, the Union shall aim to combat discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation. "

A European framework law may establish minimum rules concerning the definition of criminal offences and sanctions in the areas of particularly serious crime with cross-border dimensions. Regarding the competence of the EU concerning substantive criminal law, the text of the 27 May 2003 (Art. III-167/1) does not contain a reference to racism and xenophobia which is a setback as the Amsterdam and Nice Treaties did contain such a reference.

The draft Treaty of 27 May 2003, in the area of freedom, security and justice, has an explicit reference to combating racism in Article III-153, stating that "The Union shall endeavour to ensure a high level of security by measures to prevent and combat crime, racism and xenophobia and measures for coordination and cooperation between police and judicial authorities and other competent authorities as well as by the mutual recognition of judgements in criminal matters and the approximation of criminal laws." This explicit reference to racism and xenophobia had not been included in an earlier draft.

The new Constitutional Treaty, to be agreed at the Intergovernmental Conference on reforming the EU which may take place in the autumn, is to be signed after the accession of 10 new Member States on 1 May 2004. Ireland will hold a referendum before ratifying the new Treaty.

Proposals and suggestions regarding the Treaty have been made by a variety of European centres and non-governmental organisations including the European Monitoring Centre on Racism and Xenophobia (EUMC) and European Network Against Racism (ENAR). Among their concerns are the inclusion of the Charter of Fundamental Rights in the Treaty and the implementation of the principle of equal treatment, irrespective of race or ethnic origin as an objective of the European Union.

Further details and updates are available on ENAR website at www.enar-eu.org and the website of the EUMC

Council of Europe Convention on National Minorities

The Framework Convention on the Protection of National Minorities was ratified by Ireland in 1999. The Convention contains important protections in relation to national minorities. Currently the Irish government has recognised one group under the convention - the Traveller community. Representatives from the advisory committee of the Framework Convention visited Ireland at the end of March 2003 and met with relevant government officials and NGOs. The advisory committee adopted their opinion on Ireland in May 2003 and it has gone to the Permanent Representative of Ireland for review and comments, a process which has a four month deadline. After Ireland has made their comments on the Opinion, it is forwarded to the Committee of Ministers of the Council of Europe who make recommendations. Then the opinion is made public. However Ireland can make the opinion public at any stage in the process.

For further information on the Framework Convention, contact www.coe.int.

Racism and Poverty – The Potential of NAPincl

There is increasing evidence that Black and minority ethnic groups in Ireland, including Travellers, refugees and asylum seekers and migrants experience disproportionate levels of poverty. Racism is a major factor in contributing to the disproportionate poverty experienced by minority ethnic groups at both an individual and institutional level.⁶

Each member state of the European Union (EU) is required to submit a two-year National Action Plan against Poverty and Social Exclusion (NAPincl) to the European Commission by July 2003. This will be Ireland's second plan to the EU and follows a previous plan for 2001-2003. This is an ongoing process at EU level. In 2005 Ireland will be expected to review and develop a further plan. Every EU member state is required to have the following in their plan:

- An overview of the economic and social context; identification of the major poverty trends, immediate and long-term poverty risk factors and main groups at risk of poverty and social exclusion.
- A progress report on the extent to which targets and objectives of the first NAPincl have been achieved.
- An outline of the overall strategy and targets for tackling and preventing poverty, including long-term objectives for the eradication of poverty and social exclusion and short-term objectives for 2003-2005.
- Policy measures to be implemented from 2003-2005 in participation in employment and access to resources, rights, goods and services; prevention of the risks of social exclusion and helping the most vulnerable.

- The institutional arrangement in each member state to implement the two year NAPincl plan including the participation of all relevant bodies in tackling poverty.
- Examples of good practice.

The Irish Government will build on the existing National Anti-Poverty Strategy (NAPS) 2002-2007 'Building an Inclusive Society'. NAPS has an overall goal of ensuring that members of ethnic minority groups including Travellers are not more likely to experience poverty than majority group members. This involves tackling racism and discrimination and removing barriers to their integration.

Combat Poverty Agency and the Office for Social Inclusion (Department of Social and Family Affairs) held a national consultation seminar in May 2003 to address the issue of poverty and social exclusion amongst minority ethnic groups including Travellers. Many organisations including the NCCRI made submissions to NAPincl, incorporating many of the concerns raised at this seminar. The NCCRI submission outlined specific actions needed in tackling the intersection between racism and poverty including the collection of data for planning, targeting and benchmarking purposes; monitoring and improving access to public and private services; poverty and equality proofing of policy developments and proposed legislation; developing a community development approach to address racism and poverty; increased participation of minority ethnic groups in decision-making processes.

One of the key outcomes of the United Nations World Conference Against Racism, held in September 2001, was the commitment by participating countries to develop National Action Plans Against Racism (NAPAR). The Irish Government are in the process of developing their Plan and there are indications that it will include a section on ensuring economic and social inclusion, including a focus on poverty, employment and the workplace while supporting the full participation of minority ethnic groups in Irish society.⁷

NAPincl presents an important opportunity to address the situation of Black and minority ethnic groups including Travellers experiencing poverty in Ireland. It is vital that this Plan has a strong anti-racism dimension and addresses the interface between racism and poverty. It is recommended that there is a specific reference to the National Action Plan Against Racism in NAPincl as one of the guiding documents in terms of addressing the needs of minority ethnic groups.

6. See H. Frazer article in F. Farrell/P. Watt (Eds.) *Responding to Racism in Ireland*.

7. See *National Action Plan Against Racism Steering Group; Diverse Voices: A Summary of the Outcomes of the Consultative Process and a Proposed Framework for the National Action Plan Against Racism*. Stationery Office. July 2003 in particular Objective Two: Inclusion.

For further information on NAPincl, contact Office of Social Inclusion, Department of Social and Family Affairs, tel. 01-7043851 or www.welfare.ie



Ms Anastasia Crickley, Chairperson, NCCRI with Minister for Justice, Equality and Law Reform Michael McDowell, TD at a conference on Migration Policy in Ireland and Europe organised by the NCCRI/Equality Authority 10 December 2002. Photograph: Courtesy of the Irish Times.

DEVELOPMENTS IN MIGRATION

The following information on developments in migration policy is by no means exhaustive but clearly shows that Ireland and Europe will be developing its migration policy and legislative framework over the coming year. It is hoped that there will be an emphasis on a planned and managed migration policy that protects the rights of migrant workers and their families and has a focus on integration.

International Convention on Migrant Workers

The UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families 1990 entered into force on 1 July 2003, following Guatemala's ratification of the treaty. The Convention seeks to play a role in preventing and eliminating the exploitation of migrant workers throughout the entire migration process. In particular, it seeks to put an end to the illegal or clandestine recruitment and trafficking of migrant workers and to discourage the employment of migrant workers in an irregular or undocumented situation. It provides a set of binding international standards to address the treatment, welfare and human rights of both documented and undocumented migrants, as well as stating

the obligations and responsibilities on the part of sending and receiving States.

It has to date been ratified or acceded to by 21 States. The EU member states, including Ireland, are not among those 21 countries. As the Convention has now entered into force further opportunity is available to focus on it during the Italian and Irish Presidency of the EU as a significant step forward in the protection of the rights of migrant workers and ensuring their economic and social inclusion.

Further information about the Convention is available on www.december18.net.

EUROPEAN

European Commission Communication on Immigration, Integration and Employment

On the 3rd of June 2003 the European Commission published a Communication on immigration, integration and employment, calling on Member States to increase their efforts to integrate immigrants. It recommended that the European Union must not only ensure their full participation into the labour market, but also in social, cultural and civic life. The Communication also examines the potential impact which immigrants are likely to have on employment

and economic growth, concluding that migrants will have an important role in the future in meeting the needs of the EU labour market as the EU working age population is expected to decrease after 2010.

The Commission also sets out a number of new priorities and calls for new initiatives in other areas, notably employment, anti-discrimination and social inclusion. It calls for policies which specifically take into account the needs of immigrants to be strengthened in these areas with greater participation by immigrants themselves. It also underlines the role of the social partners and of civil society in developing and implementing such policies.

Migrants have been identified as a group vulnerable to social exclusion within the EU National Action Plans for Poverty and Social Inclusion process.

The Communication is available at: http://europa.eu.int/comm/employment_social/news/2003/jun/immigrant_en.html

EU Employment Guidelines and European Employment Strategy

The Employment, Social Policy, Health and Consumer Affairs Council has approved the European Employment Strategy which

must now be discussed by the European Parliament. The employment guidelines lay down 10 priorities for action in member states and individual recommendations to each member state. They are:

1. Active and preventive measures for the unemployed and the inactive;
2. Job creation and entrepreneurship;
3. Promote adaptability and mobility in the labour market;
4. Promote development of human capital and lifelong learning;
5. Increase labour supply and promote active ageing;
6. Gender equality;
7. Promote the integration of and combat the discrimination of people at a disadvantage in the labour market;
8. Make work pay through incentives to enhance work attractiveness;
9. Transform undeclared work into regular employment;
10. Address regional employment disparities.

Ireland has been specifically asked to look at job creation with a regional focus, gender equality and lifelong learning and will issue a report to the European Commission under the ten headings at the end of 2003. For more information you can contact the Department of Enterprise, Trade and Employment Labour Market Policy division on Tel. 01-6312121

Conclusions of the Thessaloniki Council

Immigration was prominent on the agenda of the current Thessaloniki summit as part of the Greek Presidency of the EU. There has been affirmation of the draft migration directives on family reunification and on long-term residents. There was a confirmation of the importance of immigrants for the EU's economic future and an emphasis on the integration of legally resident third country nationals.

The Greek Foreign Minister George Papandreou said that one of the aims of the Thessaloniki European Council would be to incorporate different policies on migration in the EU into a more comprehensive approach and possibly establish a regular annual report on migration. Mr Papandreou said the European debate on migration policy has been held back by inaccurate or even non-existent statistics, and also by the inadequate exchange of best practices. The proposed annual report, to be the work of the European Commission, would be the first completely

independent summary of Europe's migration policies, practices and data.

To keep up to date with European developments in migration, log onto the website of the Migration Policy Group www.migpolgroup.com

NATIONAL

Changes in Work Permit System

The Department of Enterprise, Trade & Employment (DETE), together with FÁS, announced operational arrangements to give effect to the changes in work permit procedures which came into effect on Wednesday 9 April 2003. Under the new arrangements, the Department of Enterprise, Trade & Employment, following consultation with FÁS will announce, on a quarterly basis, occupational sectors which will be considered ineligible for Work Permits. The Ineligible Occupational Sectors for the first quarter (April 9th – 30th June 2003) can be seen on the Department's website at www.entemp.ie and this list has been extended to the end of July.

These occupational categories were arrived at following an analysis of the skills profile of jobseekers registered with FÁS. The Department and FÁS were satisfied that there were sufficient personnel available to fill vacancies arising in those occupational categories now listed as ineligible for work permits during the first quarter.

All occupational sectors other than those listed as ineligible will continue to be considered for work permits provided that job vacancies arising in those sectors are first registered with FÁS recruitment services for a period of 4 weeks. FÁS will notify both its local offices nationally as well as other European Economic Area (EEA) Public Employment Services of those vacancies. This will assist employers in attempting to source local or EEA labour to fill the position in advance of any potential Work Permit application. Where specific skills are determined by FÁS and the Department to be in short supply, this requirement may be dispensed with. In such cases FÁS will give the employer notification that they may proceed directly with a work permit application to the Department.

In considering applications in future, the Department will give preference to applications in respect of nationals from the European Union Accession States. This is in accordance with the provisions of the

Treaties of Accession, which will be signed on 16 April next.

Further information on current Work Permit Procedures can be obtained from the DETE Work Permit Helpline at 1890 201616 or over the Internet at www.entemp.ie or www.fas.ie.

Employment Permits Act 2003

The Employment Permits Act 2003 was passed in April 2003. The purpose of the Act is to facilitate the granting of free access to the Irish labour market to nationals of EU Accession States with effect from May 2004. From the date of accession, nationals of these countries will no longer require employment permits to work in Ireland. It also puts in place a safeguard mechanism whereby a requirement for employment permits can be re-introduced in respect of nationals of the relevant countries, should the Irish labour market suffer a disturbance after EU enlargement.

The Bill also incorporates a provision whereby, for the first time, a requirement for employment permits in respect of non-Irish nationals working in Ireland is set out in primary legislation, together with penalties for non-compliance by employers and employees. Concern has been expressed about aspects of the Act such as Section 2 (5) of the Act where the Garda Síochána are given certain powers to search premises and inspect work permits. This may have implications for people who may be unduly targeted as work permit holders although they are Irish nationals or they have the right to work here. It requires the Garda having an in-depth knowledge of the different categories of work permits and immigration status that non-Irish nationals may possess.

Employment Permits Bill 2003 (forthcoming)

The aim of this legislation is to put employment permit regime on a comprehensive statutory footing. The Bill has yet to be published. Check www.entemp.ie or the website of the Department of the Taoiseach www.irlgov.ie. The NCCRI plan to have a briefing session with the Department of Enterprise, Trade and Employment when the Bill is published.

Some reflections on World Refugee Day 20th June 2003

By Peter O Mahony.

Ireland has seen a notable increase in the numbers of people exercising their right to seek refuge on our shores particularly in the last three years. World Refugee Day offers us an opportunity to reflect on how well the country has handled this new reality.

Progress has been significant at a number of levels since one government minister described the asylum system in 1999 as a 'shambles'. Structures such as the Refugee Legal Service and the Refugee Appeals Tribunal have made a sizeable contribution to ensuring that people are allowed to pursue their right 'to seek and enjoy asylum'. Resources provided by the State, including large numbers of staff that work full-time in the asylum area, have made a real difference. Schools and other mainstream structures have in many cases responded remarkably well to the real challenges posed by the arrival of new communities.

However, the long-term impact of current asylum policy and practice remains worrying as long as the asylum area remains bedevilled by a lack of transparency, while an unwillingness to make any real commitment to the integration of those who have sought refuge in the country risks creating a new underclass.

The lack of transparency can be seen, for example, in:

- The failure to deliver on the commitment in the Refugee Act 1996 to set up the Refugee Advisory Board with meaningful representation from civil society. In fact, one of the first acts of the current Minister for Justice, Equality and Law Reform was to stand down the sole board which had representatives of trade unions and other non-governmental groups in an advisory role to his Department on the reception and integration of refugees.

- The lack of monitoring by any independent or human rights organisation of the practice of turning away large numbers of immigrants as they arrive at our airports and ports. Though the majority of the estimated 3,000 immigrants duly refused entry into the State in the last year did not seek asylum here, at least some had attempted to claim asylum. Ireland had been the beneficiary three years ago of a grant from the European Commission that would have funded a human rights monitoring presence at Dublin airport but this was returned unspent because of the

unwillingness of the Irish authorities to give the project approval to operate.

- The non-publication of the decisions of the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal. This compares badly with the practice in countries such as New Zealand, Canada and Australia.

- The passing of far reaching legislation with minimal public debate. This week, for example, government has produced a 32-page document of 'amendments' to the Immigration Bill 2002. Asylum may not be an immediate 'voter concern', but surely legislation which can potentially affect the lives and dignity of people should be debated in an informed manner, rather than rushed through our parliament before the summer holidays?

Without a real commitment to the integration of those who have sought refuge in Ireland, many of whom will be long-term residents of Ireland, there is a real risk that a new underclass will develop that is resented by others in the community and that is resentful of its exclusion from mainstream society. Over time this runs the real risk of festering and the shortsighted current policies that ultimately lead to social exclusion will have a long-term cost.

The lack of routine contact between Irish people and asylum seekers and the superficiality of much of the media coverage allows the perception to develop that large numbers of asylum-seekers are spongers and serious wrong doers; the reality is that, while some may be, most are not.

Nothing militates against the integration of refugees and asylum-seekers in Ireland as much as the government's policy that prevents all asylum-seekers taking up paid employment. This is despite the fact that groups such as the Congress of Trade Unions, IBEC and the national organisation of the unemployed have signed up to a call that asylum-seekers should be allowed to work if their applications remain unprocessed after a six-month period. It is interesting to note that, while there has been a huge and welcome speeding up of the processing of asylum claims, most refugees now have to rely on the second stage or appeal process to have their status recognised. Thus most refugees continue to spend in excess of six months in the asylum system and some cases carried into this year are at least three years old.



Award Winners (starting from second left) John Kavanagh (Arts & Culture), Dr Austin O'Carroll (Health & Welfare), Prince Christian Abili-Mordi (Sport), Heather Smith (Community & Environment), Lord Mayor of Dublin Mr Dermot Lacey, Jomoke Oyewo (Arts & Culture), Assimowo Olabisi Shittu (Education & Youth), Lana Jevsejeva (Community and Environment), Mohammed Abu (received award for Sport on behalf of Gerry McGuigan), Nuala Nedjati (Education & Youth). Photograph: Martin/Dublin City Council.

The placing of the majority of asylum seekers in accommodation away from mainstream Irish society exacerbates the risk of isolation. While the 'direct provision' system provides food and lodging it contributes to stripping asylum seekers of their dignity and depriving them of control over even basic elements of life such as providing for and feeding their families. Limiting their guaranteed cash income to a mere Euro19.10 per week ensures that integration is a non-option for many. The fact that the asylum system is expensive and wasteful disguises the reality that it simultaneously impoverishes a large number of people whose potential contribution to Irish society is shamefully unexploited.

In 2001, former US Secretary of State, Madeleine Albright along with other famous refugees, appeared in a worldwide series of commercials marking the 50th anniversary of the UNHCR. With the theme 'Respect', the campaign was meant to tackle the prejudice and persecution that refugees and asylum seekers face each day. It was meant to try and remove the stigma now associated with being an asylum seeker. In Ireland, a couple of years on, some refugees and most asylum seekers (especially if they happen to be dark skinned) feel unwanted and unwelcome in their country of refuge. For most asylum seekers, it is a struggle to go through the application process, the institutionalisation and enforced poverty and still come out of it with their dignity intact.

While the numbers seeking refuge in Ireland will occasionally dip all the indications are that Ireland, like many other countries, will

continue to receive substantial numbers seeking asylum. It is thus imperative that we have strong transparent systems and meaningful integration needs to be pursued as a matter of urgency.

Mr Peter O Mahony is CEO of the Irish Refugee Council (IRC). This article appeared in the Irish Times on 20 June 2003. The IRC can be contacted at their new address, 88 Capel Street, Dublin 7. Tel. 01 – 873 0042 www.irishrefugeecouncil.ie

World Refugee Day Awards 2003

A special UN General Assembly Resolution was unanimously adopted in 2000, designating the 20th of June every year as World Refugee Day. To mark this day, the African Refugee Network in partnership with Dublin City Council, NCCRI, SPIRASI, KNOW RACISM and UNHCR, with support from CAFÉ, organised the World Refugee Day Awards. These Awards were presented to asylum seekers and refugees who have positively contributed to the local communities in which they live and also to individuals from those communities who have extended a hand of friendship and solidarity to promote the inclusion of refugees and asylum seekers in their communities. Nine specially commissioned awards from the National College of Art and Design were presented at the ceremony under the categories of Arts & Culture, Sports, Community and Environment, Education and Youth, Health and Welfare. The Lord Mayor of Dublin, Mr Dermot Lacey presented the awards to the winners.

The African Refugee Network can be contacted at 90 Meath Street, Dublin 8 Tel. 01 – 473 4523.

Racist Incidents November 2002 to April 2003

In May 2001 the National Consultative Committee on Racism and Interculturalism (NCCRI) established a system for recording incidents related to racism in Ireland.¹ These incidents are compiled into six monthly reports. The first report was published in October 2001, the second in April 2002 and the third in January 2003. This is the fourth report, which covers the period November 2002 to April 2003.

Summary of Main Findings

The fourth report of incidents relating to racism showed that there were 48 racist incidents² reported to the NCCRI between November 2002 and April 2003. 75% of incidents are reported as occurring in the greater Dublin area. 19% of incidents are reported as occurring in urban areas outside of Dublin. 6% of incidents are reported as occurring in predominantly rural areas. Out of 48 incidents recorded, 12% were experienced by women and 58% by men.³ The majority of incidents were targeted at adults. However children were present for a minority of the incidents. Our findings indicate that men, women and children in Ireland are experiencing racism. Statistics reveal again that racism is being experienced regardless of someone's legal status. Refugees and asylum seekers, Irish and EU citizens, including Travellers and non-EU citizens are experiencing racism in Ireland. These can include students or people visiting Ireland as tourists. 20 different nationalities have been identified as experiencing racism in this six-month period.

Assaults, Abuse and Harassment

Racist abuse and harassment and other forms of cultural disrespect was the most common form of incident reported to the NCCRI. Part of the reason for this may be related to the general increase in violent crime in recent years. Although Ireland is in general a safe country there are worrying indications of an increase in violence related crime. Recently published statistics reported an increase of 105,840 in the total number of headline offences for 2002 compared with the previous year including an increase in the number of assaults.⁴ It is therefore probable that if the general level of violence is increasing then violence motivated by racism is also likely to increase.

Examples include a Kosovan man and his Irish wife who were subjected to racist verbal abuse, death threats and damage to their property in the Dublin suburbs by a gang of youths. The family are so scared that they confine themselves to their house and only go out in their car. They have applied to Dublin Corporation to relocate but are too afraid to formally report it to the Garda for fear of reprisals. A Roma family in Tralee suffered hostility at their place of residence with racial verbal abuse such as 'Go home refugee' coupled with damage to their property. The Garda in the area gave the situation serious consideration and requested urgent alternative accommodation for the family. An Algerian man was seriously assaulted in Dublin city centre by a group of men and women, hit by an iron bar and kicked in the head. He had to go to casualty. He reported the incident to the Gardai who said they would contact him but he received no further information. An Irish woman of Muslim origin experienced racial verbal abuse from the driver of another car as she was waiting at traffic lights. She was terrified and reported the incident to the Gardai.

Delivery of Public Services

The NCCRI expressed concern at remarks made in February 2003 by a district court judge in Longford warning that 'coloured' people may soon be banned from



Photograph: Aidan O Reilly/Irish News.

shopping centres in the region as a consequence of shop lifting incidents. The blaming of whole communities or identifiable groups for the actions of a few is extremely offensive and contributes to the stereotyping that feeds racist views. However the NCCRI welcomed the decision of the judge in question and another judge in Castlebar to apologise for remarks made about immigrants. The NCCRI highlighted the need for anti-racism and intercultural awareness training for all sections of the administration of justice including the judiciary and has met with the courts service around this issue.

A South African teenager was subjected to racist verbal abuse by four of his classmates over a period. His mother approached the principal of the school who reprimanded the classmates in question. The students were asked to apologise to the victim and write a letter of apology. The racial taunts ceased. A list of students names posted in Trinity arts building was removed, covered with white-supremacist graffiti and pinned to the notice board of the MPhil in Ethnic and Racial Studies. This incident highlights the need for the administration in universities and bodies such as the Union of Students in Ireland to continue to monitor and condemn racist incidents.

Housing

A complaint was received from a group of Traveller families living in the west of Ireland. The complaint was in relation to the Group Accommodation Scheme for the Traveller community in Ennis. The residents of the site are objecting to the relocation of their site and the enclosure of the site behind a reinforced two metre high wall.

The residents had a meeting with representatives of the local authorities outlining their objections and opposition to the proposed relocation and that they are waiting for the matter to be resolved through further negotiations. The residents claim that any attempts at negotiation with the Council since then have been ignored.

The enforcement of provisions of the Housing Miscellaneous Act 2002 by the Gardai in Mayo caused much controversy and tension with the Traveller community. The Irish Human Rights Commission, Pavee Point and other organisations are calling for a review of the legislation in light of it being contrary to the constitutional rights of the Traveller community in particular in terms of their right to equal treatment and non-discrimination in accessing adequate accommodation.

Delivery of Private Services

A man from Cameroon was refused entry to a shopping centre in Limerick city by the security guard because of his colour. A French national of Indian descent was refused entry to a nightclub in Temple Bar while his white friends were let in. He was told that this was because of his colour. A landlord who rented out his property to non-Irish nationals was subjected to harassment by the residents association where his property was based in the suburbs of Dublin because they were opposed to his policy of renting out to Irish and foreign nationals. The residents association also made unfounded allegations about his tenants.

Migrant Workers

The NCCRI is deeply concerned that organisations working with migrants have reported that fear about losing their work permits is causing migrant workers not to report cases of racism and discrimination in the workplace. A number of organisations reported that if an employee took steps to inform the authorities about racial bias, the employer would often threaten not to renew a work permit. The NCCRI also notes that there has been a rise in the number of people claiming job discrimination on race grounds to the Equality Tribunal from 5 in 2002 to 33 in 2003, this figure excludes those alleging discrimination as members of the Travelling Community.

The NCCRI have consulted with various interested parties who are concerned with recent developments in relation to employment permits and migration policy in general. There is the worry that these changes will lead to a rise in undocumented workers and subsequent exploitation of same. The NCCRI would recommend an indepth local regional and national analysis of the current labour market and for that to be fed into a planned and managed migration policy for Ireland.

Misinformation and the Circulation of Offensive Material

The circulation of racist and linked offensive material continues. One such leaflet was being circulated in Kerry looking for “racially conscious white men and women” who are ‘disgusted’ about what is happening in Ireland and it advertised a website and a mobile number to ring. A leaflet was circulated in Belfast by the White Nationalist Party (WNP) opposing the building of a mosque in Portadown which also advertised a website for more information. Websites continue to be a concern. Effective action to close such sites will only be forthcoming through increased global cooperation and the specific outlawing of such sites in the revision of the Prohibition of Incitement to Hatred Act 1989.

Racist and offensive e-mails, letters and texts continue to be sent to organisations working against racism. Eight different examples of racist mail (email and post) were forwarded to or received by the NCCRI in the six-month period covered by this report. In December 2002 a racist email was forwarded to the offices of the NCCRI and Irish Refugee Council. The NCCRI contacted the server company and they closed down the account. Many server companies have a policy to terminate a customers use of their service if they find that their service has been abused,

for example to transmit offensive or obscene material which would cause offence to others on the ground of race.

The Media

Sections of the media continued to print myths and misinformation about the refugee and asylum seeker communities. An article entitled “Refugees – the Truth” in March 2003 contained misinformation about asylum seekers claiming that they receive free satellite TV and other benefits while printing a ‘typical’ menu of an asylum centre. The newspaper in question only invited the Immigration Control Platform to comment on the issue but no comment was printed from organisations working with refugee and asylum seekers. This article served to endorse misinformation about the refugee and asylum seeking community.

In the print media there were articles that confused terminology, contained misleading statistics and interchanged the terms refugee and asylum seeker. Other articles equated the term refugee with that of the non-EU parent of an Irish born child which is not necessarily the case. This was particularly the case in the reporting of the Supreme Court decision on the right to residency of the parent of an Irish born child in January 2003. Such carelessness serves to confuse the public and fuel the myths and misinformation in the public mind regarding certain communities.

In one of the broadsheets, misinformation was given when it was reported that there were notices in embassies aiming to discourage refugees when in fact the article was referring to parents of an Irish born children, an entirely different category of people. The NCCRI has emphasised that it is very important that the correct terminology is used at all times so as not to compound the level of confusion already in the public.

A complaint was received about a phone in radio show broadcast in March 2003 regarding the racist abuse directed at an Algerian family in the suburbs of Dublin. Although the presenter did mediate the debate, it is regrettable that he gave one caller substantial airtime to voice her extremely racist views which may have been upsetting for many listeners.

In January a vox pop in a student newspaper asked six Irish students which ethnic minority they hated the most and why. The answers were of an offensive nature. The paper was greeted with outrage in university circles and the paper was forced to apologise. The editor of the newspaper was dismissed from his post. However it is regrettable that the same editor subsequently won three major awards in the 02 Student Media Awards.

The NCCRI welcomed the reaction of the university and the Union of Students in Ireland to the newspaper. It is also notable in this regard that there was a recent survey by the Union of Students in Ireland in which 83% of respondents agreed that Ireland’s racial, religious and cultural diversity adds to its strengths. However the voxpop incident highlighted the need for more anti-racism and intercultural awareness at university level.

Recommendations

The summary of the outcomes of the consultative process for the National Action Plan Against Racism (NAPR)⁵ proposes a framework for the forthcoming NAPR. It advocates protection as one of the Plan's strategic objectives, enhancing protection against racism, including a focus on combating discrimination, assaults, incitement and abuse. The NCCRI would like to see the key recommendations on protection included in the final version of NAPR.

The existing protection against assaults, incitement, verbal abuse and dissemination of material motivated by racism needs to be reviewed and enhanced as a matter of urgency. Current legislation outlawing incitement to hatred in the State and other relevant criminal legislation needs to be strengthened so that it is adequate in scope and that it provides for effective, proportionate and dissuasive sanctions.⁶

Any review of existing legislation should cover the public dissemination of racist literature including the circulation of racist emails and should also seek to protect people against new forms of racism, such as racism through the Internet.

The role of the Gardai is key in providing protection to ethnic communities as is the ongoing work of the Garda Racial and Intercultural Unit and Garda ethnic liaison officers. It is important that the National Crime Council ensures a specific focus on tackling racist crime, consulting closely with minority ethnic groups and specialised bodies. The protection against assaults and abuse should be monitored and proofed to ensure that they are fully inclusive of the experience of minority ethnic women.

There is a need for disaggregated data in the number of racist assaults and other manifestations of racism occurring in Ireland as an important way of planning more effective and targeted actions in tackling all forms of

racism. This can be achieved through official crime and victim surveys and through Garda annual reports with an analysis of key trends.

The need for anti-racism and intercultural awareness training for all sections of the administration of justice including the courts service and the development of a whole organisation approach to designing and implementing an anti-racist and intercultural strategy.

That schools and universities would look to implementing a whole school/university approach⁷ in addressing racism and supporting cultural diversity and to establish mechanisms to both monitor and deal effectively with racist incidents.

The need for a planned and managed migration strategy with an emphasis on protecting the rights of migrant worker and on monitoring employer's adherence to employment law. Ongoing consultation with trade unions, non-governmental organisations, business federations and other interested parties is also seen as vital to the development of a fair and efficient migration policy for Ireland.

There is a continuing need for sections of the media, in particular local and regional media not to engage in sensationalising issues while respecting their right to report what is in the public interest. In particular more context and background should be provided where possible and to be careful not to label particular communities or compound myths and misinformation and confuse terminology.

That the government transpose the Race Directive as a matter of urgency so that the minimum requirements in order to promote equal treatment of people regardless of their ethnic origin is in place in our equality legislation and that the government review and proof all legislation to ensure that it is not in contravention of the provision of the Race Directive.

Endnotes

1. Reporting forms can be accessed through the NCCRI website (www.nccri.com).
2. Multiple reports about one incident are regarded as one racist incident in this report.
3. Remainder not specified.
4. Office of the Garda Commissioner Letter to the Minister regarding Crime Statistics 02/04/03.
5. National Action Plan Against Racism Steering Group; *Diverse Voices: A Summary of the Outcomes of the Consultative Process and a Proposed Framework for the National Action Plan Against Racism*. Stationery Office. July 2003.
6. Relevant criminal legislation include *Prohibition of Incitement to Hated Act 1989*, *Offences Against the Person Act 1997* and *Public Order Act 1994*.
7. See NCCRI publication "Guidelines for Developing a Whole Organisation Approach to Addressing Racism and Promoting Interculturalism" (2003).

If you are the victim or witness to a racist incident you can do the following:

For assaults, damage to property or verbal abuse, contact your local Garda station or the Garda Racial and Intercultural Unit, Harcourt Square, Dublin 2, tel: (01) 6663150. The Unit has just published a guide "Your Police Service in Intercultural Ireland" which is freely available in seven languages.

If you have experienced discrimination on the grounds of race in employment matters or in trying to access goods or services, contact the Equality Tribunal, 2 Clonmel Street, Dublin 2 on (01) 477 4100.

For any other incidents motivated by racism please call the NCCRI on 01-478 5777. All calls will be treated with the strictest confidence.

Community Development and Minority Ethnic Groups – a Role for the NCCRI

The Community Development Support Unit has been operating within the NCCRI since August 2000. It is resourced as part of the Community Development Support Programme, funded by Department of Community, Rural and Gaeltacht Affairs. It also continues to be part-funded by the Family Support Agency within Department of Social and Family Affairs. Significantly, this agency has restated its commitment to continue working from a community development ethos, despite its separation from the Community Development Support Programme.

Context for community development by and with Minority Ethnic Groups

The term *minority ethnic group* is a broad collective term that simply ascribes people on the basis of their distinct ethnicity, but comprises within it a wide range of other communities or social groupings, e.g. refugees, asylum seekers, black Irish, migrant workers, Travellers, tourists or students. At local, regional and national levels, there are a number of organisations formed around the needs of such groups. These include well-established Traveller organisations and networks, self-organised support, solidarity and cultural groups, refugee support groups and state-supported community development projects that target minority ethnic groups (among others) in local areas.

These groups are accessing support, resources and funding from a variety of different sources and undertaking various strategies and initiatives to respond to the needs of minority ethnic groups. It is important that within the community sector there is coherence in promoting interculturalism and challenging the racism and social exclusion that can be faced by all minority ethnic groups, while still acknowledging the diversity and distinct needs of such groups. Contributing to the development of coherent community development strategies is one of the key aims of the NCCRI's Community Development Support Unit.

The CDSU's participation in strategic structures of the Community Development and Local Development Social Inclusion programmes and other formal and informal arenas within the community sector contribute to realising this aim. The CDSU also hopes to establish a community development subgroup which will enable those involved in community development by and with minority ethnic groups to come together to progress strategic thinking on the role of community development in interculturalism and anti-racism.

Currently the Department of Community Rural and Gaeltacht Affairs (DCRAGA) is carrying out a comprehensive review of the existing community development and local development structures including the Local Development Social Inclusion Programme, the Community Development Support Programme and LEADER. The review is being carried out to address government concerns about "the multiplicity of structures and agencies through which



local and community development schemes and programmes are delivered.” It wishes to assess the efficiency, effectiveness and resource implications for the local delivery of community and local development, particularly in the context of new local governance mechanisms – the County/City Development Boards – and their potential for local co-ordination.

The implications of this review for all community and voluntary groups are highly significant and currently many groups are in limbo as they await DCRA’s findings. For minority ethnic groups, this review may provide an opportunity for these structures to become more inclusive of their needs. While the CDSP and LDSIP specifically target some minority ethnic groups, there is, as yet, no direct access by black and minority-led groups to mainstream programme supports. In a submission to this review, the NCCRI highlighted a number of key priorities for minority ethnic groups:

1. Minority ethnic groups themselves must be targeted for inclusion by the CDSP and mainstreamed through core funding;
2. Additional supports for those projects operating within the CDSP that already target ethnic minorities must be resourced;
3. The continued prioritisation of minority ethnic groups within the Local Development Social Inclusion Programme;
4. An overall community development framework for minority ethnic groups with sufficient resources to deliver it must be put in place as a matter of urgency;
5. Local government structures and their work (i.e. County/City Development Board Strategies and Local Authority policy) must be examined for their inclusion of ethnic minorities within their equality statements. If necessary, guidelines for their specific inclusion must be put in place. In addition, structures for the participation of community representatives must be able to demonstrate how they can include ethnic and other minority or marginalised groups.

Community development needs of minority ethnic groups

A lot of consultation has been carried out with minority ethnic groups and throughout the community sector on the needs of minority ethnic communities, and some of that consultation has explored community development needs. Participants in a recent regional seminar series, Towards Interculturalism – Supporting work with Ethnic Minorities, hosted by the NCCRI, echoed some of the community development needs identified by a research report, commissioned by Tosach Support Agency, e.g.

- The need for a clear overall community development framework for work with minority ethnic groups
- The need for funding of community development by and with minority ethnic groups
- The need for support for existing community groups to include ethnic minorities as a target group
- The need to develop the capacity of minority ethnic groups to participate

- The need to ensure clear and shared understanding of a community development approach.

The seminars also raised needs such as: the necessity for clear, concise and accessible information about work being carried out at national level, the need to exchange good models of practice from other local organisations across the country and the need for the provision of anti-racism training to community and voluntary organisations.

Work programmes of the NCCRI’s Community Development Support Unit

The NCCRI’s CDSU can contribute to the development of responses to meet these needs. It has identified a number of strategies that it will undertake over the coming months, such as:

- The development of a set of tools to support community groups, such as: a) a guide to funding supports; b) a series of case studies that document good practice; c) an overview of the existing community development structures and how they include or impact on minority ethnic groups;
- The formation of a community development subgroup for those working in this area from a community development approach to exchange ideas and good practice;
- The development of a regular e-bulletin to community groups, CDSPs, family resource centres, and refugee, asylum seeker and migrant support and solidarity groups;
- Maintaining the links with key relevant structures such as the Community Development Support Programme, the Family Resource Agency, the Local Development Social Inclusion Programme, the Equal Initiative and RAPID.
- Ensuring the prioritisation of minority ethnic groups as an important target of such work within the review process of community and local development structures currently taking place,
- Targeting the involvement and participation of community, support and solidarity groups in other activities organised by the NCCRI over the coming months, e.g. seminars and roundtables on policy issues, workshops and anti-racism training;
- The development of specific initiatives to be carried out in conjunction with Family Resource Centres and Community Development Projects to provide support to their work.

Information and communication are vital components of the CDSU’s strategies. Relevant information on the work of the NCCRI and other organisations along with policy and legislative developments will be shared through the forthcoming information bulletins, mailshots and Spectrum.

If you would like to communicate with the CDSU on these or any other matters in the area of Community Development, please contact Elva O’Callaghan, Community Development Officer, CDSU at 01-4785777.



Media Review:

Racism in the Media: Responses and Recommendations

The role of the media was identified in the consultative process for the National Action Plan Against Racism as key to the further strengthening of an anti-racist society in Ireland. While there was a recognition that the media had promoted understanding, awareness and analysis of key issues, there continued to be examples of irresponsible media reporting that contributed to stigmatizing and labelling minority ethnic communities in Ireland, in particular refugees, asylum seekers, Travellers and migrants.¹

Journalists have responsibilities when covering issues relating to race. The National Union of Journalists (NUJ) Code of Conduct, which its members are bound by, says that ‘a journalist has the duty to maintain the highest professional and ethical standards’. The Code of Conduct and guidelines on race reporting requires journalists not to sensationalise race issues and only to mention a person’s age, race, colour, creed, disability, mental status, gender or sexual orientation if this information is strictly relevant. In the word of the NUJ; “...a journalist shall neither originate nor process material which encourages discrimination, ridicule, prejudice or hatred on any of the above-mentioned grounds”.

The guidelines on race reporting actually encourage members of the NUJ to be proactive in seeking to “expose the myths and lies of racist organizations and their antisocial behaviour”. There are also specific guidelines on the coverage of stories involving Travellers which stipulate that journalists should ensure that nothing they write could lead people to the view that Travellers are less than full citizens of the State.

Guidelines and codes of conduct are there but they are not being adhered to at all times and not all journalists are members of the NUJ. Certain sections of the Irish media have chosen to ignore these guidelines in their coverage of asylum, refugee, Traveller, migrant and other related issues. Headlines such as “Refugees – the Truth” and “Free cars for Refugees” are examples of journalism that flout the NUJ guidelines. It is also important to note that while these headlines are obvious examples of racist reporting, there are also more subtle forms, subliminal messages that are sent consciously or unconsciously to the majority group in the text of a story that may, at a glance, seem to portray a neutral stance.

Careless use of language, inaccurate use of terms and misleading statistics about the new communities in Ireland serve to compound myths and misinformation already swirling around Ireland. In particular the carelessness of the media in their interchangeable use of the words ‘refugee’ and ‘asylum seeker’ adds further confusion to the public mind. However, it is equally important to emphasise positive examples of media stories which cover the complexities of the issues relating to refugee, asylum seekers, Traveller and other minority ethnic groups.

Racism in the Media: A Local Response by Brian Smeaton

The Alliance to End Racism in Donegal was set up around the time of the United Nations Durban Conference against Racism in August 2001. The name of the organization is considered very important, not just to be “against” racism, but to aim to end it. A meeting was held with interested parties including local trade unions and the Garda Síochána. Out of that we decided to focus on local media. Donegal has a huge interest in local media. We have many local newspapers and the local “Highland Radio” station. The Alliance felt that since local media is a very important information source, we were interested to see what the local

media does well in relation to the reporting of incidents with racist content, and how this reporting could be improved.

Our overall aim was to take five local newspapers over a period of a year and analyse their reporting of racism and issues relating to ethnic minorities. The articles were examined to see if they complied with the standards of reporting set by the National Union of Journalists (NUJ). We received a grant from Know Racism to undertake the research and funding from Joseph Rowntree Charitable Trust to hold a seminar with journalists to explore the report's findings and to look at ways in which issues could be reported differently.

In our research we made a point of highlighting good examples of local reporting and what needed to change, rather than setting out to criticise and blame. It became clear that the Travellers were a particular part of the racist "victimisation" process, myths and misinformation regarding ethnic minorities were being printed (e.g. preferential treatment from social services) and that "sectarianism" was another element in the discussion.

The anticipated outcome of this research project was that, through the research report and workshop, journalists would be made aware of the role that the media has in reporting racist issues and how this can contribute to prejudice and oppression. In addition recommendations were made on how the style of presentation could be changed and how stories could be pursued in a way that confronts and challenges racist, prejudicial and discriminatory attitudes and commentary.

Our main focus was the importance of local media in addressing racism and promoting interculturalism and how to establish dialogue with local media to be a part of this initiative. The full impact of our media project has yet to be assessed but already there has been a sea change in how race issues are dealt with in the local media here. The template created in Donegal to deal with local media has the capacity to be easily duplicated over the whole country and we found it to be a very effective.

For further information on this project please contact Brian Smeaton, The Alliance to End Racism in Donegal. 074- 9137917 or Francine Blache-Breen, Donegal Community Workers Co-op 074-28792.

See also publication Francine Blanche-Breen "Analysis of the Portrayal of Ethnic Minorities in the Donegal Print Media" (2002)

The Media: Key Recommendations

With regard to print media, there are no statutory provisions governing the way in which complaints against the press are handled. Therefore the NCCRI welcomes the recent recommendation by the Legal Advisory Group on Defamation to establish, on a statutory basis, a Press Council concerned with the regulation of the press, including the preparation of a Press Code of Conduct and the investigation of complaints in respect of alleged breaches of that Code. This recommendation may have positive implications for the media portrayal of minority ethnic groups in that the Council's role may include a specific focus on racism and interculturalism. Such an external independent adjudicator for dealing with press complaints could provide a high level of public accountability in enforcing an agreed code of practice.

The possible establishment of a Press Council may also have an educational and training role. Journalists should undergo anti-racism and intercultural awareness training. The concept of a 'whole organisation approach' to address racism and promote interculturalism applies to the media as well. The NCCRI Training and Resource Unit is available to supply that training and assist in the writing up of an anti-racist policy for the different forms of media. Journalists should to be employed from a variety of ethnic backgrounds including the Traveller community. Other recommendations² include:

Support for the emergence of media forms that are owned or managed by minority ethnic groups. Metro Eireann and the Russian Gazeta are good examples of this.

The Government should provide adequate resources to minority ethnic groups to increase their visibility and participation in various public fora in particular the media.

The development of a Media Protocol, similar to the Political Protocol that all the political parties signed, on media reporting of issues related to minority ethnic groups in Ireland.

The development of a code of conduct for all people working in the media industry.

The Broadcasting Commission of Ireland (BCI) should have enhanced powers to renew and attach conditions on the renewal of a radio licence, particularly if there is strong evidence that a radio station/programme is consistently broadcasting myths and misinformation about minority ethnic groups.

Racism in the Media – What You Can Do

1. Write a letter of complaint to the newspaper, radio station or broadcaster in question to voice your concern about a certain type of media coverage and to clarify any myth or misinformation, misleading statistic or confusion of terms about minority ethnic groups. The National Newspapers of Ireland (NNI), an organisation which represents national daily and weekly newspapers, operates a Readers' Representative system which provides a degree of access to readers to voice complaints and obtain remedies such as corrections, clarifications and apologies. Tel. (01) 6689099. You can contact the Broadcasting Complaints Commission, 2-5 Warrington Place, Dublin 2. Tel: (01) 676 1097 and the National Union of Journalists, 9th Floor, Liberty Hall, Dublin 1. Tel: (01) 805 3258.
2. Bring any offending newspaper article, radio or television broadcast to the attention of the NCCRI.
3. Write a letter of support to newspapers, radio or television when there has been a very positive and balanced coverage of issues relating to diversity and racism in Ireland.

Endnotes

1. For more information see National Action Plan Against Racism Steering Group; *Diverse Voices: A Summary of the Outcomes of the Consultative Process and a Proposed Framework for the National Action Plan Against Racism*. Stationery Office. July 2003
2. See *Diverse Voices* *ibid*.

Noticeboard

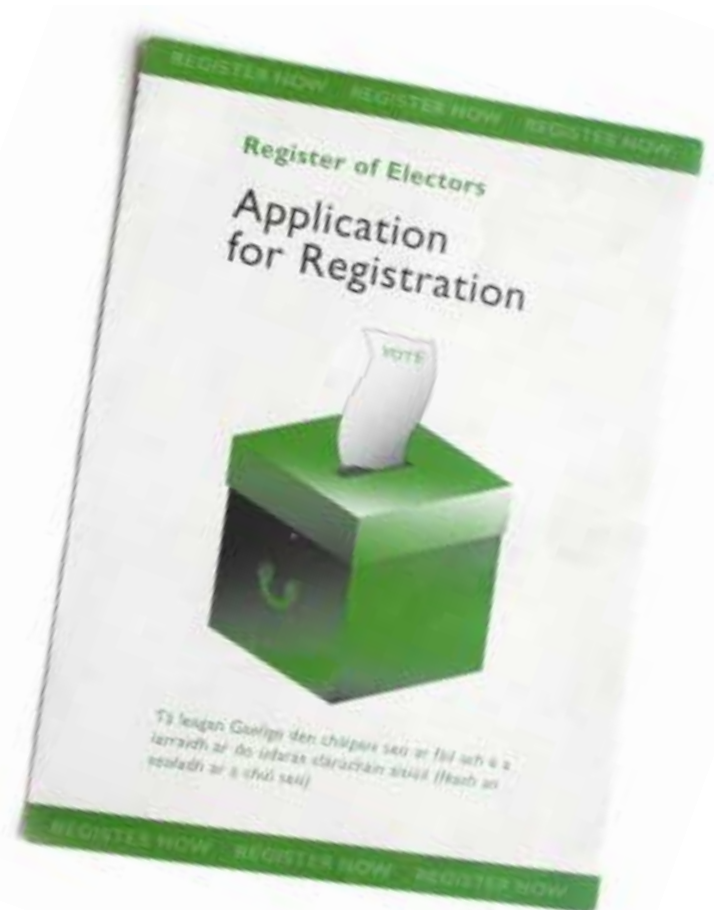
🕒 Diversity in Local Politics

In June 2004 local elections will be held across the country to appoint local public representatives to each city and county council. Due to recent legislative changes, public representatives who hold a seat in the national parliament, Dáil Éireann, will no longer be eligible for election to a local authority and the 2004 elections will be the first that incorporate this change. A number of new seats can be contested this time, a fact which may present exciting opportunities for minority ethnic groups.

There are 29 county councils, five city councils, as well as five borough councils and 49 town councils that have certain local government powers. You must be over the age of 18 to vote in local elections and citizenship is not required. However, in order to vote, you must be registered in the register of electors, being ordinarily resident in the area on the 1st September 2003. A register of electors is compiled each year by city and county councils. The draft register is published on 1st November each year and displayed for public inspection in post offices, libraries and other public buildings until 25th November. You should check the draft register during this period to ensure you are correctly registered. The final register comes into force on 15th February but even still, late applications can be made right up until 15 days before polling day. Registration application forms are distributed door-to-door by the local authority, are available from their offices, and can be downloaded from your local authority website.

Someone wishing to stand for local election may nominate himself/herself or be nominated by a registered elector and can be nominated to stand in more than one area. A candidate does not have to be affiliated to a political party to stand for election. The nomination paper of a candidate who is not a member of a registered political party must be assented to by 15 electors registered in the local electoral area concerned. Election of candidates happens through a system of proportional representation in a multi-member electoral area. To be elected, a candidate must receive a quota of votes, which depends on the number of valid polling papers and the number of seats to be contested.

Recent reform of local government has attempted to give greater power to local authorities and bring decision-making closer to people on the ground. This means that local government is an important site for ensuring a true representation of the Irish population. Diversity has not been traditionally represented at local political level and even the gender balance of elected representatives is highly disproportionate. Encouragingly, a number of women and men from minority ethnic communities in various regions have signalled their intention to stand for election with a particular interest in representing ethnic minority issues. Community groups and activists are also taking on a role to



encourage and support the participation of traditionally excluded groups, both in candidature and in voting.

Awareness and education are important to ensure greater representation of minority groups in politics. Commitment to social inclusion within the body politic is also critical. The duration of the local election process will be an important time to remind public representatives of the Anti-Racism Protocol which all the major political parties in Ireland have endorsed. The Protocol commits its signatories to ensure that election campaigns are conducted in such a way that they do not incite hatred or prejudice on the grounds of 'race', colour, nationality or ethnic or national origins, religious belief and membership of the Traveller Community.

If you would like more information about the Anti-Racism Political Protocol, it is available from the NCCRI office or on web page www.nccri.com/protocol.html. More detail about local government and the elections process is available on the Department of environment and Local Government website:

www.environ.ie/elections/local.html or by contacting your local authority.

📍 New Census Figures Released

New figures released by the Central Statistics Offices (CSO) on 19th June 2003 indicate for the first time the extent of nationality diversity in Ireland. The CSO 2002 Census of Population Principal Demographic Results indicates for the first time that Irish non-nationals make up 5.8% of the population, of which almost half were UK nationals (2.7%). Other EU nationals and the nationals of other European countries were the next numerous, followed by Asian, African and US nationals. This is the first time a nationality question has been asked in the Census and it gives an indication of the extent of such diversity in Ireland. The 2002 Census does not however, provide a complete picture of ethnic diversity in Ireland because the ethnicity question, which is a separate question to nationality in the 2002 Census, was limited to a question on the Traveller Community.

The 2002 Census is also a far more accurate reflection of the size of the Irish Traveller population in Ireland. Close to 24,000 Irish Travellers, representing 0.65% of the total population were enumerated in the 2002 Census. This is more than double the figure in the previous Census when coverage was only partial. The religious profile of Ireland has also changed significantly over the last 10 years, which is also an indicator that we are now a more multicultural society. The number of Muslim people in Ireland has quadrupled to 19,000 from the 1991 Census, when the religion question was last asked. The number of Orthodox Christians has increased from 400 in 1991 to over 10,000 in 2002, representing migrants mainly from Eastern Europe and the former Soviet Union.

Previous figures issued by the CSO in relation to the 2002 Census have shown that both the level and the pattern of inward migration into Ireland in relation to the origin of migrants has changed dramatically in recent years. The period 1996 – 2002 covered in the Census was the period of greatest net inward migration into Ireland. Net inward migration is calculated by inward migration less outward migration per 1,000 population. This inward migration has been one of the key factors resulting in greater nationality and ethnic diversity in Ireland. Contrary to widespread perceptions, most of the recent immigration into Ireland is as a consequence of returning Irish emigrants and migrant workers rather than asylum seekers. In 2002, for example there were over 43,000 work permits and visas issued to non European Economic Area nationals to work in Ireland as opposed to 11,634 applications by asylum seekers for refugee status.

While welcoming the question on nationality in the Census and the better enumeration of Travellers, the NCCRI has called on the Government to ensure that the next Census (due in 2006) has a comprehensive question about ethnic origin as well as nationality. This is needed because there are many people from minority ethnic groups in Ireland who are Irish nationals and who would not be covered by the 'nationality' question. The new figures are very important not least for factoring in future planning. The government now needs to ensure that there is an overall range of policies in place to ensure that ethnic diversity is taken into account when planning policy.

For further information contact the Central Statistics Office Ireland at 021-4535000 or www.cso.ie



📍 Dublin Bus Poster Campaign

At present Dublin Bus has over 40 different nationalities represented throughout the company. Out of 3300 employees, 6% have a country of origin outside the EU and a further 3% from countries within the EU. Dublin Bus has launched a Poster Campaign acknowledging that diversity and multiculturalism enriches both the workplace and society. The posters will appear on buses around the city and in all Dublin Bus garages in the coming months. Dublin Bus typically carries 500,000 passengers per day and deals with an increasing multicultural society both internally and externally. Speaking about the campaign, Ms. Pat Normanly, Equality Officer said, "we will continue to implement initiatives such as our cultural awareness staff training and the great work of our Equality Committee – all of which improve the understanding and acceptance of diversity in Dublin Bus".

For further information, contact Patricia Normanly, Equality Officer at 01-703 3094

Recent Publications

The following are a range of recent publications published by the NCCRI and other organisations.

National Action Plan Against Racism

Steering Group: *Diverse Voices: Summary of the Consultation Process and a Proposed Framework for the National Action Plan Against Racism*. Stationery Office. Available on www.justice.ie

NCCRI: *Guidelines for Developing a Whole Organisation Approach to Addressing Racism and Supporting Cultural Diversity*. Available from NCCRI.

Dr P Conroy & Aoife Brennan: *Migrant Workers and their Experiences (2003)*. Available from Equality Authority, 2 Clonmel St, Dublin 2. Telephone (01) 417 3336.

Niamh McCrea: *Steps Towards Inclusion: Developing Youth Work with Separated Children" (2003)*. Available from YARD. Telephone (01) 478 4122.

Dr Katherine E. Zappone: *Achieving Equality in Children's Education*. Available from the Educational Disadvantage Centre.

Keogh/Whyte; *"Getting On – The Experiences and Aspirations of Immigrant Students in Second Level Schools Linked to the Trinity Access Programmes*. Available from Children's Research Centre, Trinity College Dublin.

Combat Poverty Agency/Equality

Authority: *Poverty and Inequality: Applying an Equality Dimension to Poverty Proofing (2003)*. Available from the Equality Authority, 2 Clonmel St, Dublin 2. Telephone (01) 417 3336.

TOSACH: *The Community Development Support Needs of New Communities Within the Inner City of Dublin (2003)*. Available from TOSACH, 44 Lower Gardiner St, Dublin 1. Telephone (01) 817 1911

Immigrant Council of Ireland; *Handbook on Immigrant's Rights and Entitlements in Ireland (2003)*. Available from Immigrant Council of Ireland, 42 Upper Dorset Street, Dublin 1. Telephone (01) 865 6525

CAFÉ Publications/ Clann Credo; *Irish Fundraising Handbook (5th Edition) 2003-2004*. Available from CREATE (formerly

CAFÉ), 10/11 Earl Street South, Dublin 8. Telephone (01) 473 6600.

An Garda Síochána: *Your Police Service in Intercultural Ireland*. Available from Garda Racial and Intercultural Office, Harcourt Square, Dublin 2. Telephone (01) 666 3150 in seven languages.

Holder, D; *In Other Words? Mapping Minority Ethnic Languages in Northern Ireland. (2003)*. Available from Multi-cultural Resource Centre NI, 9 Lower Crescent, Belfast, BT7 1NR. Telephone 028 9024 4639

Annual Reports/ Strategic Plans

Human Rights Commission: *Promoting and Protecting Human Rights in Irish Society: A Plan for 2003-2006*. Available from Human Rights Commission, 17-19 Lower Hatch Street, Dublin 2. Telephone (01) 647 2562

Refugee Information Service: *Annual Report 2002*. Available from Refugee Information Service, 27 Annamoe Terrace, North Circular Road, Dublin 7. Telephone (01) 838 2740.

Irish Traveller Movement Legal Unit; *Strategic Plan 2003-2006*. Available from Irish Traveller Movement, 4-5 Eustace Street, Dublin 2. Telephone (01) 679 6577.



What is Racism?

Racism is a specific form of discrimination and exclusion faced by minority ethnic groups in Ireland. It is based on the false belief that some 'races' are inherently superior to others because of different skin colour, nationality, ethnic or cultural background. Racism deprives people of their basic human rights, dignity and respect.

Racial discrimination is defined in Article One of the UN International Convention on the Elimination of All Forms of Racial Discrimination (1969) as

“Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

What is Interculturalism?

An intercultural approach is the development of strategy, policy and practice that promotes interaction, understanding, respect and integration between different cultures and ethnic groups on the basis that cultural diversity is a strength that can enrich society, without glossing over issues such as racism. Interculturalism is now replacing earlier approaches such as assimilation and multiculturalism.



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