



# International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General  
6 December 2019

Original: English

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## Committee on the Elimination of Racial Discrimination 100th session

### Summary record of the 2784th meeting\*

Held at the Palais Wilson, Geneva, on Monday, 2 December 2019, at 3 p.m.

*Chair:* Mr. Amir

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Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (*continued*)

*Combined fifth to ninth periodic reports of Ireland*

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\* No summary record was issued for the 2783rd meeting.

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*The meeting was called to order at 3.05 p.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** (*continued*)

*Combined fifth to ninth periodic reports of Ireland (CERD/C/IRL/5-9; CERD/C/IRL/Q/5-9)*

1. *At the invitation of the Chair, the delegation of Ireland took places at the Committee table.*
2. **Mr. Stanton** (Ireland), introducing his country's combined fifth to ninth periodic reports (CERD/C/IRL/5-9), said that his Government took its United Nations obligations seriously and supported a rules-based order in international affairs, which had allowed Ireland to survive and prosper. The Government strongly supported the Committee's work to shine a light on the efforts that were needed to create a world where all could enjoy opportunities, free from discrimination on the basis of race, ethnicity or nationality.
3. Over the previous two decades, Ireland had welcomed migrants from across the world. It had a diverse population, with 17 per cent of inhabitants having been born outside Ireland. Ireland was one of 13 European Union member States that permitted naturalization after a five-year residence period and one of 16 that permitted dual citizenship. About 120,000 people, or more than 2.5 per cent of the population, were new citizens. In 2011, the Government had introduced ceremonies to mark the granting of citizenship and to publicly recognize the commitment that new citizens were making to Ireland. A total of 141 ceremonies had already been held, involving naturalized citizens born in over 180 countries.
4. On 1 March 2017, the then Taoiseach (Prime Minister) had made a statement in the Dáil Éireann (the House of Representatives) recognizing members of the Traveller community as an ethnic minority. All political parties had come together in support of the statement, which was a symbolic step that acknowledged the uniqueness of Traveller identity and culture and aimed to generate mutual understanding and respect between communities. Not only did recognition create a platform for respectful dialogue, it demonstrated the State's commitment to recognizing the contribution that Travellers made to Irish society and culture and to removing some of the barriers that they faced.
5. During the reporting period, legislation had been enacted to ensure that children, whatever their religion or none, had equal access to primary education. The enactment of the Education (Admissions to Schools) Act 2018 had led to the repeal of a provision that permitted primary schools to use religion as a selection criterion, with the result that non-denominational families would be treated in the same way as other families in terms of admissions to most primary schools.
6. Under the Irish Human Rights and Equality Commission Act 2014, new equality and human rights duties had been introduced for public bodies, who were now obliged to have regard for the need to eliminate discrimination, to promote equality of opportunity and to protect the human rights of service users and staff. The new duties built on existing equality legislation which prohibited discrimination on grounds of race, ethnicity and nationality in areas such as employment, access to goods and services, and housing. The human rights institutional framework had also been strengthened with the establishment in 2014 of the Irish Human Rights and Equality Commission. The Commission was an independent public body, directly accountable to the legislature, that was accredited with A status under the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It was empowered to challenge discrimination and to seek legal redress on behalf of persons experiencing discrimination; its role included encouraging the development of a culture of respect for human rights, equality and intercultural understanding.
7. The legal architecture governing workplace discrimination had also been reformed through the Workplace Relations Act 2015, which established the legal basis for the Workplace Relations Commission. That body was responsible for receiving complaints of discrimination in employment or in access to goods and services, providing information on

employment rights and inspecting workplaces to ensure that employers complied with employment rights legislation. In 2018, the Commission had received over 600 complaints of discrimination on the grounds of race or belonging to the Traveller community.

8. As part of its policy on migrants, Travellers and Roma, the Government had adopted five strategies to deliver inclusion for all in Irish society. One was the Migrant Integration Strategy 2017–2020, under which public bodies were required to take action on employment, education, access to public services, political participation and immigration. The Strategy included specific actions to tackle racism, such as requiring local authorities to remove racist graffiti and to ensure the representation of migrants on joint policing committees. Government funding for migrant integration and Traveller and Roma inclusion had increased, with €11 million allocated to initiatives under the Migrant Integration Strategy since 2017. The Government had also launched the Communities Integration Fund to strengthen the capacity of civil society to promote integration, which in 2019 had provided funding for 124 organizations.

9. In its consultations on the periodic report, the Government had received the strong message that the Migrant Integration Strategy needed to be strengthened through further actions to combat racism. In response, it had decided to establish a new Anti-Racism Committee, which would include State and non-State actors and would be mandated to review current evidence and practice and make recommendations on how to tackle racism. It would convene early in 2020 and would produce its initial report within three months.

10. The Government had funded the development, with non-governmental organizations and stakeholders representing African communities, of a programme of action to mark the International Decade for People of African Descent. In that context, the Department of Justice and Equality had recently hosted a consultation event on how to celebrate the contribution of people of African descent to Irish society and to address the problems of discrimination and exclusion that they still faced.

11. The National Traveller and Roma Inclusion Strategy 2017–2021 had been formulated in partnership with Traveller and Roma organizations, with the aim of improving the lives of people from those communities and taking their concerns into account in key policy areas. For example, in the education sector, the Government was implementing a two-year pilot project to improve Traveller and Roma children's school attendance, participation and completion. To that end, specialized staff were working with children, parents, schools and service providers in communities with large Traveller and Roma populations in order to remove the barriers to attendance and retention.

12. Although Travellers had access to a range of housing options, including standard local authority housing, private rented accommodation and Traveller-specific accommodation, the Government and other stakeholders had identified several problems in delivering that access. As a result, an independent expert group had been set up to review the effectiveness of the existing arrangements and had submitted its report in July 2019. The Department of Housing, Planning and Local Government was considering the recommendations of the expert group with a view to developing policies and taking action to improve the situation. One priority was to make full use of the funding available for investment in Traveller accommodation.

13. The Department of Employment Affairs and Social Protection was responsible for the employment-related actions set out in the National Traveller and Roma Inclusion Strategy. All clients of the National Employment Service who received jobseeker payments, including those from the Traveller community, had access to a full range of employment supports. Videos had been produced to promote Traveller and Roma communities' access to the National Employment Service and would be shared on the Service's website, on social media and by representative groups. The Government was funding a range of community development projects intended to support the employment of Travellers, and in 2020 it planned to commit €2.5 million to pre-employment support programmes that prioritized disadvantaged groups, including Travellers and Roma.

14. To promote and celebrate Traveller culture, the Department of Justice and Equality had focused on strengthening and increasing awareness of Traveller and Roma Pride Week, including by funding events such as an awards ceremony and a concert. On 15 March 2018, a celebration had been held in Dublin to mark the first anniversary of the recognition of Travellers as an ethnic minority. From July 2018 to May 2019, the National Museum of Ireland had hosted an exhibition in County Mayo that explored Travellers' culture, tradition and crafts. The Traveller craft of tinsmithing had been added to the National Inventory of Intangible Cultural Heritage, thus receiving official recognition and protection.

15. Reforms had been undertaken to strengthen the capacity of the Garda Síochána – the police service of Ireland – to respond to the needs of minorities. In October 2019, the Garda had launched its Diversity and Integration Strategy 2019–2021 with the themes of protecting the community, developing robust data systems and upskilling officers to understand the needs of diverse communities and respond to crimes perpetrated against them. The Garda had adopted a definition of hate crime in line with international best practice, and it monitored and recorded hate crime using its PULSE computer system. It had recently updated its policy on its uniform to take account of religious requirements, thus encouraging candidates from minority communities.

16. Ireland had responded to the humanitarian crisis caused by the conflict in Syria by establishing an Irish Refugee Protection Programme with the aim of resettling 4,000 people in Ireland. Since 2015, the Government had worked with the Office of the United Nations High Commissioner for Refugees to resettle refugees from centres in Jordan and Lebanon. It had also taken family reunification initiatives and had developed mechanisms to improve integration outcomes for refugees, including a new programme for the community sponsorship of refugees.

17. The mechanism for providing support to persons seeking international protection in Ireland was known as Direct Provision. Under that system, the State provided applicants who were without means with services including accommodation, food, health care, utilities and children's education for the duration of the application process. Although those services were generally offered by centres, applicants were not obliged to remain under Direct Provision and there were no restrictions on their freedom of movement in Ireland. Since its introduction in 1999, the system had accommodated over 65,000 people and had greatly reduced asylum seekers' vulnerability to homelessness and human trafficking. Despite calls for its abolition, the Government did not believe that any workable alternatives had been proposed that would be capable of providing the services that applicants needed upon arrival. Therefore, its focus was on addressing the shortcomings of Direct Provision. For that purpose, it had adopted measures such as opting in to the European Union Reception Conditions Directive, which would ensure that standards were on a par with other European countries; offering arrangements for independent living and private living spaces for families; and granting access to the labour market for applicants who had waited for more than nine months for a first-instance decision on their application. To date, more than 3,400 such permissions had been granted to eligible applicants. Furthermore, a single application procedure had been introduced under the International Protection Act 2015, with a view to streamlining the decision-making process.

18. The Government recognized that further action was required to strengthen legislation on hate speech and hate crime. For that reason, public consultations on incitement to hatred were under way in communities across Ireland, while research was being conducted on international best practice. Proposals for new hate crime legislation would be published in the spring of 2020, and once the legislation had passed the Government would revisit its reservation to article 4 of the Convention.

19. Ireland was accordingly making sustained efforts to improve the protection available to its minorities, strengthen the capacity of its systems to respond to their needs and tackle obstacles where they arose.

20. **Ms. Mbugua** (Irish Human Rights and Equality Commission) said that diversity in the State party had increased over the reporting period, and Ireland was currently both a multi-ethnic and multinational society.

21. In the area of human rights, progress had been made in the State party, in particular in its official recognition of Traveller ethnicity. However, new human rights challenges had emerged, including an unprecedented housing and homelessness crisis, as well as a troubling growth in anti-immigrant and anti-refugee discourse by office holders and those seeking office, including in the national Parliament. Those developments underscored the need for stronger and more diverse leadership across the State to maintain and strengthen its commitment to equality and non-discrimination. Concrete steps to be taken would include the direct incorporation of the Convention in the State's domestic law; the immediate withdrawal of the State's reservation on article 4 of the Convention; the enhancement of national infrastructure through the establishment of a full parliamentary committee with a dedicated and expansive mandate to foster human rights, equality and diversity; the implementation of adequate measures to ensure that human rights and equality were embedded in public services; and the addressing of inadequacies in the Government's approach to hate crime and hate speech by ensuring an effective response in the criminal law and advancing standards for those in, or seeking, public office.

22. In the area of housing and accommodation, there had been persistent underspending of available budgets by local authorities on culturally appropriate housing for Travellers. Minority ethnic groups, including Roma and people of African descent, also faced discrimination and inequality in the private rental sector and were disproportionately at risk of experiencing family homelessness.

23. With regard to the State party's international protection system, Direct Provision centres had been experiencing significant capacity issues, which had been exacerbated by the housing crisis, resulting in large numbers of applicants being placed in emergency accommodation, including in inadequate living conditions and without access to the necessary services and supports. The use of such emergency accommodation should cease as soon as possible, the reforms of the Direct Provision system recommended in the McMahon report must be fully implemented and, in the long term, Direct Provision should be phased out completely.

24. Accountability mechanisms were being weakened by the State's delivery of its functions through private, non-State actors, including the operation of Direct Provision centres on a for-profit basis. The State must ensure the protection of human rights standards in such contexts, and, as an employer and service provider, it must better reflect the diversity of Irish society in its public life and the workforce by ensuring adequate training, service development and quality assurance; by ensuring that procurement processes respected human rights and equality norms; and, crucially, by collecting and using data to inform its policy-making, legislative reform and service provision.

25. **Ms. Shepherd** (Country Rapporteur) said that, given the recent economic growth of Ireland, it was expected that there were no economic impediments to implementing the Convention through funding initiatives for eliminating racial discrimination and ensuring a good quality of life, especially for vulnerable groups in the State party. The Medium Term Economic Strategy for the period 2014–2020 had been launched by the Government to promote recovery following the 2008/09 recession; it would be interesting to learn whether its impact on all sectors of the population had been measured.

26. With regard to data collection, the core document did not contain information on the ethnic composition of the population, only on nationalities. While the State party report had information on the ethnic and cultural background of the population based on the 2016 census, the Government did not have sufficient disaggregated data to allow an adequate and regular assessment of the extent to which it was meeting its obligations under international law across a range of sectors. There continued to be significant gaps in the national survey and administrative data available on minority ethnic groups, and concerns about its availability, quality and use. In that connection, the Committee would welcome information on how census enumerators went about deciding on the ethnic breakdown of the population; whether the disaggregation of data by ethnicity had been done according to human rights standards; and what measures the State would take to ensure the full and effective development and implementation of an ethnic identifier, in line with human rights standards, across relevant data-collection systems. Given that the number of people pertaining to most other groups had increased, the reporting State might explain what

accounted for the decrease, between 2011 and 2016, in the number of people categorized as Black Irish or Black African.

27. Concerning the incorporation of the Convention in the State party's domestic legislation, the Committee would appreciate an explanation of the State party's reasons for maintaining its reservation on article 4 and urged the Government to incorporate the Convention in its legal framework, in accordance with its international obligations.

28. In the area of legislation to address racial discrimination, the non-renewal since 2008 of the National Action Plan Against Racism and the closure of the National Consultative Committee on Racism and Interculturalism were setbacks in having a mechanism to support the work of the Irish Human Rights and Equality Commission. It would be useful to learn if the State party intended to adopt a new national action plan on racism, and if so, what the time frame was for doing that. The State party should explain how it responded to complaints that not all previous functions of the National Consultative Committee on Racism and Interculturalism had been reassigned, and that there were still gaps in the undertaking of functions that it used to have, in particular given that the Irish Human Rights and Equality Commission did not have a direct mandate on racial discrimination. In addition, there were shortcomings in the anti-discrimination legislation of the State party, which did not fully reflect the protective measures of the Convention. For instance, it was unclear to what extent the prohibition of discrimination on the ground of race applied to public authorities in the performance of their functions, while section 14 of the Equal Status Acts 2000–2015 also precluded legal actions against legislative provisions.

29. With regard to human rights and equality training for public officials, the Committee would welcome details of the exact content of the training provided to the national police service, as well as specific information on the implementation to date of section 42 of the Irish Human Rights and Equality Commission Act 2014.

30. The Committee looked forward to the establishment of the new Anti-Racism Committee, which would start its work in 2020, and follow-up information on the impact of its work on the human rights landscape. Noting the establishment, in May 2017, of the Commission on the Future of Policing in Ireland, the Committee wished to learn what progress had been made in promoting diversity within the service, addressing racial profiling, and improving cultural competence as well as reporting, data and monitoring systems.

31. In the area of business and human rights, recent reports had indicated that up to 90 per cent of the coal burned at the State-owned Electricity Supply Board's Moneypoint power station in County Clare came from Colombia, with two thirds of it purchased from the Cerrejón mine, the operation of which had been linked with serious human rights abuses. The State party had an obligation to raise concerns about human rights abuses in the Cerrejón mine with the Government of Colombia and to lend its support to the initiation of an independent inquiry into the operation of the mine, and restitution and compensation for victims of displacement and other human rights abuses.

32. With regard to racial profiling, the information the Committee had received indicated that there was no legislation proscribing racial profiling and no mechanism for complaints, as well as a lack of statistics on racial profiling. At the same time, racial profiling, including by police officers, continued to be experienced by young men of African origin, in particular, and there were serious concerns about ethnic profiling in the delivery of policing services among Traveller and Roma communities. The European Network Against Racism Ireland had concluded that the overrepresentation of Traveller and non-Irish groups in the prison system was the consequence of racial profiling. She would appreciate receiving details of the legislative, disciplinary or other procedures to be put in place to prohibit, prevent and monitor ethnic profiling within the police force, and to prevent hate crime and hate speech in the State party.

33. The statutory Commission of Investigation into Mother and Baby Homes and Certain Related Matters had been established by the Government in February 2015 to provide a full account of what happened to vulnerable women and children in those homes and to report by 2018. The Committee would welcome information on the key findings and whether the matter of redress was one of them. Also, in the case of survivors of past abuses

committed in the child adoption process, some of whom had been taken into custody because of racial identity, she wished to know whether any provisions been made for mental health care or public education around the issue of redress.

34. In the area of hate speech and incitement to hatred, Ireland still had no legislation that prohibited hate crimes. The Prohibition of Incitement to Hatred Act 1989 had proven ineffective in combating hate speech, and the review of the Act (due to have been made by 2018) had not yet taken place. The delegation should indicate if the State party would develop and commit to a clear, time-bound action plan for review and modernization of hate crime law and practice, including addressing online incitement to hatred and developing means to ensure that hate motivation was consistently reflected throughout the criminal justice system, including in the criminal law, police incident recording and monitoring, investigation, prosecution, trial and sentencing. As had been called for by the Committee in its previous concluding observations (CERD/C/IRL/CO/3-4), adopted in April 2011, the State party should consider introducing new legislation to declare illegal and prohibit racist organizations.

35. The Committee was pleased that, in March 2017, Travellers had been formally recognized as an ethnic group. It would be interested to learn whether that recognition had legislative backing and what rights it entailed. In addition, the Committee would be grateful for information on the current status of the Traveller Culture and History in Education Bill 2018, which was being debated in parliament, as well as on how the impact of the National Traveller and Roma Inclusion Strategy had been measured and how the State party assessed the effectiveness of the Strategy in meeting its key commitments in areas such as cultural identity, education, employment and the Traveller economy, and children and youth. The State party should indicate whether it intended to develop a robust implementation and monitoring plan for the Strategy, with clear targets, indicators, outcomes, time frames and budget lines.

36. In the area of education of minorities, the State party should indicate if it could provide a time frame for the completion and publication of the review of the 2006 Report and Recommendations for a Traveller Education Strategy, as well as for the actual development of a Traveller and Roma education strategy with strategic participation of Traveller and Roma representative groups. Additionally, the Committee would welcome information on how the reversal of the Equal Status Act 2000, which removed religion as a selection criterion in school admissions, would be monitored and by whom.

37. Reports indicated that racist harassment, violence and discrimination appeared to be an everyday reality for persons of African descent, despite the efforts of the State. It would be useful if the State party could disaggregate its data on appeals to the Workplace Relations Commission by ethnic group. Moreover, greater attention could be paid to the strategies outlined in the Durban Declaration and Programme of Action and the Programme of activities for the implementation of the International Decade for People of African Descent 2015–2024.

38. While welcoming the increased legal protections for asylum seekers and refugees, she wished to know whether all the key actions outlined in the Migrant Integration Strategy were on track to be achieved, in particular the goal of ensuring that 1 per cent of the civil service workforce were from ethnic minorities. She would also welcome information on the measures taken to address the Committee's concerns regarding a number of areas: the implementation of the single application procedure provided for in the International Protection Act; the failure to provide suitable accommodation for persons in the protection process; the need for an early detection mechanism for indicators of vulnerability; the need for contingency planning procedures to reduce the use of emergency accommodation; the backlog of protection cases caused by the change in legislation; the need to improve reception conditions for asylum seekers; the lack of qualitative data on refugee outcomes; the need to review the scheme to identify barriers to employment; the prohibition on employing asylum seekers; the occurrence of domestic, sexual and gender-based violence against persons in State accommodation centres; and the lack of transparency regarding the deaths of persons residing in Direct Provision accommodation. Given the increasing number of migrants who were arriving in the country each year, she asked whether the

State party intended to sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

39. With regard to human trafficking, she wished to know what had been the impact of the Second National Action Plan to Prevent and Combat Human Trafficking in Ireland; whether any statistics on human trafficking in Ireland were available; and what steps had been taken to improve data collection and analysis. She also asked whether legislation would be adopted to guarantee access to assistance and protection for all victims of trafficking, regardless of nationality or immigration status; whether any perpetrators of human trafficking had been convicted; and whether there was an independent national rapporteur for human trafficking in the State party.

40. Emphasizing the importance of establishing a procedure for the determination of statelessness, she wished to know what steps had been taken to implement the Data and Research Strategy 2018–2020 of the Department of Justice and Equality, in particular with regard to data on refugees, asylum seekers, beneficiaries of international protection and stateless persons. She would also welcome information about the content of the school history curriculum and its impact on cross-cultural understanding.

41. **Mr. Kut** (Follow-up Coordinator) said that the Committee had requested, in its previous concluding observations, that the State party should submit an interim follow-up report on paragraphs 11, 12, 15 and 16 within one year. The State party had submitted a follow-up report ([CERD/C/IRL/CO/3-4/Add.1](#)) in May 2012.

42. He wished to know whether the new Anti-Racism Committee would comply with the Durban Declaration and Programme of Action and what the formal recognition of Travellers as an ethnic minority entailed. Noting the backlog of international protection cases, he wondered why the legal system was so inefficient. He also noted that the State party had refused to incorporate the Convention into its legal system.

43. **Mr. Avtonomov** said that he wished to know whether, since their formal recognition as an ethnic minority, Travellers were referred to by their name in their own language, and how many people had benefited from the National Traveller and Roma Inclusion Strategy. Noting that the Office for the Promotion of Migrant Integration was the sole body with a mandate to combat racism, he asked whether it also combated racism against non-migrants from ethnic minorities. He would also welcome the delegation's comments on the provisions of the Employment Equality Acts 1998–2011 that excluded domestic workers from the scope of the Acts, given that such workers were usually migrants. As the shortest route between the Donegal-based accommodation centre for asylum seekers and Dublin was through a province of the United Kingdom, he wondered whether the Government had any plans to facilitate transit between the two locations in the event that the border became less permeable.

44. **Mr. Calí Tzay** said that it would be interesting to know when the Government planned to introduce new legislation to combat hate speech; what it was doing to ensure that business owners were aware of their responsibilities to protect human rights and combat racial discrimination; and whether it intended to adopt legislation to guarantee resources for victims of corporate human rights abuses, including those committed by Irish companies abroad. Noting that the State party had a disproportionately large carbon footprint, he wondered whether it planned to take any immediate measures to cut its greenhouse gas emissions in order to reduce the impact on vulnerable groups in the country and abroad. Criticizing the isolated nature of life at the Direct Provision centres, he asked what the Government was doing to improve the living conditions at the centres and combat the racial profiling of young migrants by law enforcement personnel.

*The meeting was suspended at 5.10 p.m. and resumed at 5.20 p.m.*

45. **Ms. Dah** said that she wished to know to what degree ethnic groups that were recognized as indigenous by the State party had been integrated into Irish society. It would be useful to know how many members of such communities had been elected to the Irish parliament and how many held leadership and decision-making positions at various levels.

46. She welcomed the State party's decision to develop a programme of action to mark the International Decade for People of African Descent and the consultations with African communities on its implementation.

47. The State party's report listed numerous plans and programmes for diverse sectors but it failed to provide an overview of their interaction. Ireland had announced at the Durban Review Conference in 2009 that it intended to adopt a national action plan against racism but no such plan seemed to have been adopted to date.

48. She wondered why the Convention was not fully integrated into Irish legislation like other human rights treaties. With regard to the State party's plans to develop legislation prohibiting racial profiling and to update its legislation on hate speech, she wished to draw attention to the Committee's general recommendation No. 35 ([CERD/C/GC/35/Corr.1](#)) on combating racist hate speech and its draft general recommendation on preventing and combating racial profiling.

49. **Ms. Verdugo Moreno** said that the Prohibition of Incitement to Hatred Act 1989 did not fully meet the standards enshrined in article 4 of the Convention and in the European Union Framework Decision 2008/913/JHA. Moreover, there was no specific definition of hate crime offences in the State party's criminal law, and racist motivation did not constitute an aggravating circumstance in the commission of an offence.

50. She wished to know whether appropriate mechanisms existed for reporting racist incidents. As underreporting was frequently due to a lack of trust in the police on the part of vulnerable groups, she wondered whether the State party had considered using its rich network of civil society institutions to serve as a bridge between the authorities and marginalized groups.

51. She asked whether law enforcement officers were trained to avoid racial profiling, which in fact proved counterproductive in tackling crime and terrorism. They should be aware of bias indicators when investigating a crime, so that racist motivation was taken into account in legal proceedings as an aggravating factor. Awareness-raising courses should also be arranged for judges and prosecutors.

52. **Ms. McDougall** said that it was unclear whether the State party's legislation addressed discrimination by private entities. She had been informed, for instance, that a Traveller had been denied service in a restaurant. As such cases should, in principle, be criminalized under the Equal Status Acts 2000–2015, she would welcome information concerning their prosecution in practice.

53. Employment legislation was apparently ineffective when it came to protecting minorities in the State party, particularly women migrants in cases involving, for instance, domestic violence or divorce, where their migrant status depended on that of their husband.

54. A great deal of concern had been expressed regarding the housing crisis, especially for Travellers. She wondered whether the legal framework governing non-discrimination was sufficiently strict vis-à-vis private-sector entities that controlled the housing market. Had the State party analysed the impact of the housing crisis on Travellers and other social groups who were in serious need of housing?

55. She would be interested to hear the State party's interpretation of the principles of inclusion and integration of all groups targeted with discrimination, including communities of African descent. As the Committee had been informed of discriminatory problems experienced by members of mixed-race communities, she wondered whether they had been explicitly included in the State party's actions aimed at redressing historical discrimination.

56. **Mr. Diaby**, referring to paragraph 252 of the report concerning linguistic diversity in the education system, said that he wished to know whether historical developments, the evolution of the State party's population and other manifestations of diversity were reflected in school textbooks.

57. Notwithstanding the provisions of the Prohibition of Incitement to Hatred Act 1989, a body called Generation Identity United Kingdom and Ireland had launched a movement in 2017 to prevent what it called the "Islamification" of Europe. Furthermore, in September 2017 a local politician had disseminated Islamophobic messages in the social media. In the

second half of 2017, cases of verbal harassment in the streets, racist graffiti in a children's playground, anti-Muslim graffiti in Dublin shopping centres and other offensive acts had been reported. The Committee had also been informed of 61 cases in which anti-migrant hate speech had been published in the press, including in online editions, during the first half of 2017. He wished to know how the State party tackled such conduct.

58. He was interested in hearing about the annual events that formed part of Africa Day Dublin. Had any conferences been organized to promote in-depth reflection on the contribution of persons of African descent to the State party and to discuss the drafting of legislation to protect them against discrimination?

59. In November 2017, a black footballer belonging to the Irish national team had been the victim of racist insults and threats when Ireland was defeated by Denmark in a World Cup qualifying match. He wished to know whether the State party's legislation prohibited racism in sport.

60. The Committee would like to hear about the involvement of civil society organizations in the drafting of the report and in implementing the Committee's previous recommendations.

61. **Mr. Murillo Martínez** said that he would be grateful for information on references to persons of African descent in the State party's history books and school textbooks. He commended the measures taken to mark the International Decade for People of African Descent and asked whether affirmative action was being taken to promote their inclusion and that of other minorities in society.

62. He wished to know whether the State party had established a mechanism, such as an ombudsperson, to oversee Irish companies operating abroad and ensure compliance with the Guiding Principles on Business and Human Rights.

63. It would be useful to know whether the State party had undertaken any surveys of racism and racial discrimination during the period under review, and whether there was provision in Irish legislation for reversal of the burden of proof in the case of crimes involving racism and racial discrimination.

64. It would be helpful if future reports provided data concerning minority groups in the State party's prisons. He also wished to know whether the State party planned to ensure that minority groups were not disproportionately affected by artificial intelligence tools, which could be used for racial profiling.

65. **Mr. Yeung Sik Yuen** said that, according to paragraph 67 of the report, judges could take aggravating factors, including racist motivation, into account when sentencing. Yet that statement was immediately followed by the observation that aggravating factors were taken into account at the time of sentencing in all cases. It was therefore unclear whether judges were compelled to take aggravating circumstances into account. Furthermore, statistical data on aggravating factors were not maintained by the Court Service. It should be quite easy, however, to establish whether a legal provision specifying an aggravating circumstance had been cited by consulting the records of the proceedings. He would appreciate further information in that regard.

66. He gathered that when applications for asylum, social security benefits and housing were turned down, there was no right of appeal since the decisions were not taken by judicial bodies. However, unreasonable administrative decisions that adversely affected civic rights should be subject to review and the requisite legal aid should be provided.

67. **Ms. Mohamed** noted that 40 per cent of Roma families with children failed to register for social security benefits and were therefore denied family and child allowances. She wished to know whether measures were being taken to address the problem.

68. It would be useful to know when the tool to assess vulnerability would be available under the legislation enacted in 2018. She would be grateful for information concerning reception facilities for asylum seekers under the Direct Provision system.

69. What measures were being taken to prevent hate speech, especially in schools? A few weeks previously, a parliamentarian who had strongly criticized racist speech and

expressed support for migrants and asylum seekers had reportedly had his car burned and his house and children targeted. She would appreciate further information concerning the case.

*The meeting rose at 6 p.m.*