

Irish Human Rights and Equality Commission

Opening Contribution to the EU Action Plan Against Racism consultation Meeting, 20 July 2020

Delivered by Commission Member Colm O'Dwyer

Vice-President, Commissioner, Members of the Cabinet, and European Colleagues,

In these most extraordinary times, as we face into a period of profound economic and social insecurity it is more important than ever that human rights and equality principles are hardwired into Europe's recovery.

This European Commission consultation today is therefore of the utmost strategic importance.

Reflecting on our national experience of racism in Ireland, our three recommendations to the Commission are as follows:

1) Firstly, we echo Equinet's call to enhance the collection of equality data.

We recommend that the EU encourages States to improve collection and reporting of human rights and equality data on minority ethnic groups across all sectors to inform policy-making, legislative reform, and service provision.

Ireland does not have sufficient dis-aggregated data to allow an adequate and regular assessment of the extent to which it is meeting its obligations under international law across a range of sectors.

There continue to be significant gaps in the national survey and administrative data available on minority ethnic groups, and concerns about its availability, quality, and use.

The issue has been highlighted recently in respect of Covid 19 measures and restrictions. It has not, for example, been possible to get any data out the ethnicity of persons arrested due to in-country movement or travel restrictions, or the ethnicity of persons upon whom spit guards or hoods, introduced because of COVID, were placed when arrested or in police custody. It has therefore been impossible to assess whether these measures have disproportionately affected certain ethnic groups.

2) Secondly, we reiterate Equinet's call for enhanced use of statutory equality duties.

The Commission recommends that the EU encourages States to undertake positive action measures to enable the political participation of minority ethnic groups, such as the introduction of reserved seats in Parliament and local government, and the introduction of a quota system for minority ethnic candidates in political party candidate selection.

Furthermore, we are of the view that to better serve the public, the State, as an employer and service provider, must better reflect the diversity of its society and should set specific targets for diversity in their recruitment procedures.

While our Commission has an important role in promoting intercultural understanding, and the promotion of a statutory Public Sector Human Rights and Equality Duty in respect of the State bodies and agencies, Ireland has not yet put in place adequate measures to ensure human rights and equality are embedded in our public service, in our political representation, and across our public service.

3) Lastly, the EU Action plan must show leadership in tackling hate speech, particularly on-line, and, of course, hate crimes. This is an issue which transcends borders, and which has a corrosive effect not only on the individuals targeted but on our communities.

In keeping with recent recommendations from the UN Committee on the Elimination of Racial Discrimination for Ireland, we are of the view that effective response to hate speech should not only make use of criminal law, but should also encompass other policy and regulatory measures to encourage non-discriminatory discourse, educate the public on the harm of hate speech, and ensure that its extent and impact are adequately tracked.

Ireland has progressed as a diverse multi-ethnic and multi-national society. In the last decade, there has been considerable positive legal, policy and institutional developments, however there remain too many significant issues of concern.

We would anticipate that the EU Action Plan Against Racism will complement meaningful action at national level, including Ireland, and look forward to engaging further with the Commission in that regard.

Thank you.