

Diverse Voices:

A Summary of the Outcomes of the Consultative Process

And A Proposed Framework for the National Action Plan Against Racism

July 2003

National Action Plan Against Racism Steering Group

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nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE,
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
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Mr. Michael McDowell, T.D.
Minister for Justice, Equality and Law Reform.

Dear Minister,

One of the key outcomes of the United Nation's World Conference Against Racism, held in Durban, South Africa in September 2001, was the commitment by participating countries, including Ireland, to develop National Action Plans Against Racism.

The development of the National Action Plan Against Racism in Ireland (NPAR) represents a significant opportunity to both build upon and enhance existing policies and strategies to combat racism in Ireland and to identify new priorities, aspirations and arenas of work that can be drawn together into an overall, cohesive plan.

The commitment by the Irish Government to implement the NPAR was further reinforced in the Social Partnership Agreement 2003-2005, which identified the Plan as a key element of a special initiative on migration and interculturalism to be undertaken during the period of the Agreement¹.

This report, 'Diverse Voices' is a summary of the outcomes of the consultative process undertaken by the Department of Justice, Equality and Law Reform between May 2002 and February 2003, and overseen by a broad based Steering Group representing government and non-government organisations.

The aim of this summary is to present the key outcomes of the consultation through a structured framework that will identify clear aims, objectives, key issues, key priorities and indicative actions under five main objectives:

- Protection
- Inclusion
- Provision
- Participation
- Recognition

This summary is presented to you as a key resource and input into the process of preparing the NPAR. The Steering Group recognise that it is a matter for the Government to decide on the actual content of the NPAR.

I would like to thank the members of the Steering Group and to all those who contributed to the consultative process, through public meetings and through written submissions, and to acknowledge and thank the NCCRI, especially its Director Philip Watt, for providing support throughout this process.

Niall McCutcheon
Chairperson of the NPAR Steering Group
April 2003

¹ Government of Ireland, (2003). Sustaining Progress. Social Partnership Agreement 2003-2005, p26.

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Introduction and Background

The overall aim of this report is to provide a summary of the outcomes of the consultative process and to propose a framework for the development of the National Action Plan Against Racism (NPAR) in Ireland, which is to be drawn up by the Irish Government in 2003. This report is based on the outcomes of an extensive consultative process that took place between March 2002 and February 2003.²

The decision to draw up the NPAR arises from Ireland's commitments from the World Conference Against Racism (WCAR) in Durban, South Africa in September 2001. The Programme of Action from the WCAR urges States:

‘To establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance.’³

Following the WCAR, the Department of Justice, Equality and Law Reform developed a comprehensive consultative process to identify both the key issues related to racism in Ireland and the priorities that should be included in the development of a national plan.⁴ The key stages of the consultative process are summarised as follows:

Key Elements of the Consultative Process	
National Consultative Conference	March, 2002
Publication of Discussion Paper	March, 2002
Establishment of Steering Group	May, 2002
Invitation for Written Submissions	May-September, 2002
34 Grants to Support Consultation Disseminated	June, 2002
Seven Regional Seminars	May-June, 2002
Twelve Thematic Seminars	June 2002-February 2003
National Education Conference	November, 2002
Publication of ‘Diverse Voices’	July, 2003

The consultative process was overseen by a Steering Group, with representation from government and non-government organisations, including those representing the interests of minority ethnic groups, (see Annex One). The Steering Group advised on key aspects of the consultative process.

There were seven regional seminars and twelve thematic seminars held over the eleven month consultative phase and some 34 organisations and networks received funding from the Department of Justice, Equality and Law Reform to facilitate their own consultative meetings. A total of 94

² For this report and all key documentation related to the Plan, see: www.justice.ie

³ World Conference Against Racism, (2002). Programme of Action. Paragraph 66. www.unhchr.ch

⁴ Department of Justice, Equality and Law Reform, (March, 2002). Towards a National Action Plan Against Racism. A Discussion Document to inform the Consultative Process.

submissions were received, some representing a number of organisations coming together to make joint submissions (see Annex Two).

This report seeks to summarise the outcomes of the consultative process in a clear and structured format that both highlights key issues raised and key priorities/indicative actions identified for inclusion in the Plan. The report further proposes a strategic framework through which the Plan might be realised.

Aim of the Plan

It is proposed that the interlinked aim of the National Action Plan Against Racism should be:

- To combat racism.
- To build a more inclusive, intercultural society in Ireland.

These concepts are explained as follows:

Racism

Racism is a specific form of discrimination and exclusion faced by black and minority ethnic groups. It is based on the false belief that some 'races'⁵ are inherently superior to others because of different skin colour, nationality, ethnic or cultural background. Racism denies people their basic human rights, equality, and respect.

Racial discrimination is defined in Article One of the UN International Convention on the Elimination of all Forms of Racial Discrimination (1969)⁶ 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'⁷.

Interculturalism

Interculturalism is essentially about interaction, understanding and respect. It is about ensuring that cultural diversity should be acknowledged and catered for. It is about inclusion for minority ethnic groups by design and planning, not as a default or add-on. It further acknowledges that people should have the freedom to keep alive, enhance and share their cultural heritage⁸.

Principles to Inform the Drawing up of the NPAR

The consultative process identified a number of key principles that should underpin the National Action Plan Against Racism. These are outlined as follows:

Principles to inform the drawing up of the National Action Plan Against Racism

The National Action Plan Against Racism should:

- Be underpinned by the principles of human rights, equality and anti racism.
- Be clear, accessible and make common sense.
- Seek to both combat racism and promote a more inclusive and intercultural society.
- Be clearly located in and cogniscent of the broader political and socio economic context at national and international levels.
- Be strategic and coherent and draw together both government and non-government bodies in partnership approaches.
- Seek to build on existing strategies and identify new, innovative approaches.
- Have and retain the broad support and participation of civil society.
- Take into account the different levels of racism at both an individual and institutional/systemic level.

⁵ All human beings belong to the same species. This report rejects the existence of different 'races' but accepts that the term 'race' continues to be applied in a legal context at international and national levels.

⁶ Ratified by Ireland, 29 December, 2000.

⁷ Site www.unhchr.ch.

⁸ NCCRI, (2003). Guidelines for Developing a 'Whole Organisation' Approach to Address Racism and to Support Interculturalism.

- Take into account the different forms of racism experienced by various minority groups, including Travellers, migrants including refugees and asylum seekers and people of colour, including black Irish.
- Have sufficient status and profile at governmental level.
- Be mainstreamed across all relevant areas of policy in a consistent way.
- Include commitments to ensure that broader government policy impacting on minority ethnic groups is more consistent and equality/rights proofed to ensure that positive developments in one area of policy are not undermined by policy developments in other areas of policy.

- Have clear objectives, actions, outcomes and intended impact in an overall framework/model of development.
- Be a national plan that will impact at national, regional and local levels.
- Take into account cross cutting themes where racism intersects with the other equality grounds, which are: Gender, age, marital status, family status, sexual orientation, disability, and religion.
- Be allocated adequate resources, both human and financial.
- Have mechanisms to monitor and review its outcomes and impact, including adequate data collection and analysis systems.

Part One

Proposed Framework

Part One of this summary report seeks to summarise the outcomes (the key issues and the key priorities) arising from the consultative process and structure these in a framework that could provide a template for the National Action Plan Against Racism (NPAR).

This framework is based on three key sources:

- The Council of Europe ‘Checklist of Areas for National Action Plans’⁹.
- The National Economic and Social Forum (NESF) ‘A Strategic Framework for Equality Issues’¹⁰.
- The principles identified from the consultative process that should inform the drawing up the NPAR¹¹.

The proposed framework is outlined as follows:

Proposed Framework for the Development of the NPAR

Framework Structure	
Overview	Overall Aim, Objectives, Overall Approach, Context
Protection	Objective One
Provision	Objective Two
Inclusion	Objective Three
Participation	Objective Four
Recognition	Objective Five
Implementation	Key Stakeholders and Mechanisms

This proposed framework is outlined in greater detail:

Overview

This section sets out a proposed structure for the National Action Plan Against Racism, including the overall aim, the five strategic objectives, and the approach that is advocated for the effective implementation of the Plan.

Aim

The proposed aim of the National Action Plan Against Racism is to combat racism and to promote a more inclusive and intercultural society in Ireland.

Objectives

The five strategic objectives proposed are as follows:

Proposed Strategic Objectives	
Protection	Enhancing protection against racism, including a focus on combating discrimination, assaults, incitement and abuse.
Inclusion	Ensuring economic inclusion and equality, including a focus on poverty, employment and the workplace.
Provision	Seeking equality of access to, participation in and outcomes from service provision for minority ethnic groups.
Participation	Supporting the full participation of minority ethnic groups in Irish society, including a focus on participation in decision making.
Recognition	Recognising and building respect of cultural diversity and promoting interaction and understanding.

⁹ Department of Justice, Equality and Law Reform, (2002). Towards a National Action Plan Against Racism. A Discussion Document to inform the Consultative Process.

¹⁰ NESF, (2002). A Strategic Framework for Equality Issues. Forum Report 23 and Equality Authority, (2002). Building an Intercultural Society.

¹¹ See page 7 of this report.

It is important to emphasise that the proposed five strategic objectives are interlinked and should be seen as part of an overall framework, rather than as individual and discrete strands.

Overall Approach

The overall approach advocated for planning, implementing and reviewing the NPAR should be defined by the following principles. The NPAR should seek to be:

- Agenda Setting
- Strategic
- Consistent
- Synergic
- Human Rights and Equality Based
- Participative
- Innovative
- Contextualised

Agenda setting

The NPAR should be both ambitious and realistic. It represents a significant opportunity to both build on and enhance existing policies and strategies to combat racism in Ireland and to identify new priorities, aspirations and areas of work that can be drawn together into an overall cohesive plan that becomes agenda setting.

Strategic

The NPAR is a national action plan, which should seek to impact at a number of levels. These include:

National, Regional and Local Level

A national plan should have a clear impact at regional and local levels and should seek the support and commitment of key bodies impacting on social exclusion at national, regional and local level.

North/South level

There has been increased cooperation on a North/South basis within Ireland and on an East/West basis between Ireland and Great Britain to combat racism and support interculturalism. The NPAR should seek to build and enhance this co-operation including the possibility of a common section in Irish and British plans.

Links to European and UN level

There is increasing cooperation between Ireland and countries in Europe, both at EU and Council of Europe level, to find common approaches to combat racism. At a global level, the NPAR originated from the Durban World Conference Against Racism and the completed plan will be submitted to the United Nations.

Consistent: Linked Areas of Policy

Anti racism and intercultural strategies cannot be developed in isolation from the overall policy context. In particular there should be consistency with linked areas of policy such as immigration and residence policy, refugee and asylum policy and policy towards Travellers, all of which have the potential to impact on racism and to cater for diversity.

Synergic

Synergy with existing strategic initiatives aimed at addressing social exclusion and aimed at modernising public services in Ireland should be an important principle underpinning the Plan. These include the National Action Plan Against Poverty and Social Exclusion, the National Women's Strategy, the Strategic Management Initiative, local and community development strategies and targeted initiatives, in particular in the policy areas of health, employment and income support, education and training and accommodation.

Human Rights and Equality Based

The most important international human rights instrument in relation to racism is the International Convention on the Elimination of all Forms of Racial Discrimination (1969). There is also a range of other international instruments that Ireland has ratified or could ratify that should underpin the NPAR¹².

The National Action Plan Against Racism should be proofed to ensure it is inclusive of the nine grounds identified in the equality legislation, where they intersect with racism. For example the NPAR should seek to impact on the specific racism and interrelated discrimination experienced by women from minority ethnic groups, on young and older people from minority ethnic groups, on people with disabilities from minority ethnic groups and on gay and lesbians from minority ethnic groups.

Participative

All stages of the development of the NPAR, including the planning, implementation and review

stages, should be participative and involve key stakeholders. The stakeholders identified include government bodies, specialised and expert groups, the social partners, including the community and voluntary sector and bodies working closely with and representative of minority ethnic groups in Ireland. This approach recognises that there may be times when agreement across all stakeholders may not be possible.

Innovative

The consultative process identified the need to build on existing structures and policies and also to look at new and innovative ways of combating racism and promoting a more inclusive and intercultural society in Ireland.

Contextualised

This section of the Plan should seek to place the NPAR in context, including providing an overview of the policy context and significant trends related to the focus of the Plan.

¹² Department of Justice, Equality and Law Reform, (2002). Towards a National Action Plan Against Racism, p27.

Part Two

Strategic Objectives and Outcomes from the Consultative Process

Part Two of this report seeks to outline the outcomes of the consultative process under the five strategic objectives of the proposed framework outlined in Part One. The structure of this part of the report reflects the agenda adopted during the consultative process, which was:

- The identification of key issues related to the development of the NPAR
- The identification of key priorities and indicative actions that should be included in the Plan.

Objective One: Protection

Objective One: The NPAR should seek to enhance protection against racism, including protection against discrimination, assaults, incitement and abuse.

There are a range of existing measures in place that seek to provide protection against discrimination, incitement to hatred and general protection against assaults and abuse. This report both acknowledges these measures, but also identifies ways in which such protection could be strengthened and made more comprehensive and effective.

Protection: Key issues

In relation to discrimination, key issues identified included the strengthening and broadening of the equality legislation in respect of employment and the provision of goods and services. In particular to ensure that legislation is broadened to be fully inclusive of the functions and role of public bodies

not already covered by the equality legislation, and to ensure that some of the present exemptions allowed under the present legislation should now be covered.

It was contended there should be a statutory duty to promote equality of opportunity and to reasonably accommodate diversity, including cultural diversity within the public sector. The role of the equality institutions may need to be enhanced to effectively carry out these additional roles. There was further concern that equality legislation should be consistent as possible across all nine grounds.

The consultative process identified protection against incitement, assaults and abuse linked to racism as being key issues for the NPAR. While the overall level of serious assaults in Ireland is lower than many other OECD countries¹³ there are worrying signs that the level of all assaults, including assaults motivated by racism, are on the increase¹⁴. Both men and women and sometimes children have been affected by such assaults.

The completion of the review of the effectiveness of the Prohibition of Incitement to Hatred Act, 1989 and consideration of the effectiveness of legislation that provides general protection against assaults and abuse, including the Offences Against the Person Act, 1997 and the Public Order Act, 1994 were identified as important considerations during the consultative phase of the NPAR.

¹³ National Crime Council, (2002). Crime in Ireland A Review of Crime Levels and Trends 1950 to 1998.

¹⁴ An Garda Síochána, Annual Report, 2000 and 2001 and National Crime Statistics, 2002.

There was particular concern raised about the adequacy of present legislation and/or its enforcement to deal with the dissemination of written and pictorial material with a racist content, including those disseminated through the internet and by e-mail. There was concern about an apparent increase in abusive and misleading information circulated during election and referendum campaigns.

The role of the Gardaí in providing protection and the need to enhance the relationship between the police and minority ethnic communities was highlighted during the consultation. The Gardaí has been proactive in developing a range of important initiatives to combat racism and to build relationships with minority ethnic groups. However, there were concerns raised about operational issues related to frontline immigration policing and the perceived uneven response from some Garda stations to reports of racist incidents.

There is a need for more vigilance against racism at times of international tension when reported racist incidents can increase. Additional strategies should be considered during such periods, including support where necessary for groups vulnerable to racism at these times.

There is a need to build on and enhance recent initiatives in the prison service, including the development of systems to monitor and respond to the experience of prisoners vulnerable to racism in prisons and more generally how the prison service responds to diversity. Anti-racism and intercultural strategies should be extended to related bodies involved in the administration of justice, including the Court Service and other legal services.

In respect of our obligations under international human rights conventions, the protections provided against racism in respect of women, including women seeking refuge in Ireland, migrant workers, Travellers, refugees and asylum seekers were also identified as being key

principles and obligations underpinning the NPAR and related areas of policy.

A linked issue is the protections afforded to minority ethnic women who experience domestic violence from their partners. This issue requires both a culturally sensitive and an effective approach that is based on the experience of service providers concerned with protecting women against domestic violence, community bodies and minority ethnic women themselves.

A further linked issue is the protection of vulnerable young people, in particular unaccompanied minors involved in the asylum process who do not have the protection of family.

Protection: Key Priorities and Indicative Actions

Equality Legislation, including a new Statutory Duty to Promote Equality

Existing equality legislation, the Employment Equality Act, 1998 and the Equal Status Act, 2000 should be protected and enhanced. The transposition of relevant EU Directives¹⁵ provides an opportunity to review and enhance the equality legislation, including ensuring that the legislation is broadened to be fully inclusive of the functions and role of public bodies not already covered by the Equality legislation, to ensure that important exemptions are now covered and to ensure consistency of sanctions across the nine grounds of the equality legislation.

It was further proposed that a new statutory duty to promote equality of opportunity, including equality based on the 'race' and Traveller community grounds in the legislation should be enacted following research and consultation on the most appropriate model of statutory duty for Ireland. This new statutory duty should include a requirement to assess the impact of all key policies and strategies on minority ethnic groups.

¹⁵ EC Directives 2000/43/EC and 2000/78/EC.

Increased Protection Against Assaults, Incitement, and Abuse

The existing protection against assaults, incitement, and abuse and dissemination of material motivated by racism needs to be comprehensively reviewed and enhanced.

There were specific concerns about perceived weaknesses and deficiencies or the inadequate use of criminal legislation such as The Prohibition of Incitement to Hatred Act, 1989, the Offences Against the Person Act, 1997 and the Public Order Act, 1994.

There was concern for specific action to be taken on the following:

- The existing range of legislation that has the potential to impact on offences motivated by racism should be reviewed to ensure that it is adequate in scope and provides effective, proportionate and dissuasive sanctions. The law should also provide for ancillary and alternative sanctions where appropriate.
- The public dissemination or the storage of material aimed at public dissemination of material with a racist purpose, including written and pictorial images, which may not be covered by the present Prohibition of Incitement to Hatred Act, should be addressed through amendment of existing or new legislation.
- The deliberate defamation of a particular community over a period of time through processes of labelling and misinformation should be addressed through legislation and other strategies, such as complaint processes related to the media.
- New forms of disseminating racist material, including racism on the Internet and the circulation of racist e-mails should be specifically outlawed.
- Crimes motivated by hatred of particular communities, including minority ethnic groups and other vulnerable communities such as lesbians and gays, should be considered as an aggravating factor in sentencing for such crimes.
- Close monitoring of the experience of minority ethnic groups vulnerable to events at an international level, and responding with appropriate support strategies.

Policing and the Administration of Justice

The Gardaí and bodies involved in policing and the administration of justice provide key protections against racism. Important priorities identified included:

- The importance of the monitoring, analysis and publication of reports of racist incidents made to the Gardaí on an annual basis to inform appropriate policing and related responses.
- The importance of complementary systems of monitoring racist incidents through for example national crime and victim surveys, through the NCCRI racist incident reporting system and through monitoring of incidents within organisations.
- There should be mechanisms in place to ensure there is a holistic and effective response of responding to racist incidents from a number of different perspectives and where necessary involving a range of bodies in partnership approaches.
- The need for greater consistency in front line policing responses through in service training, Quality Customer Service and monitoring/complaints processes.
- The enhanced role, support and resources available to Garda ethnic liaison officers.
- Proactive local community relation and partnership strategies.
- The development of an independent, effective and transparent police complaints system.
- Impact assessments/ongoing review of operational strategies or aspects of operational strategies that have sometimes caused concern, such as large-scale net operations and frontline immigration services.

- The further development of anti racism and intercultural strategies in the prison service, and their extension to other areas of the administration of justice, including the court and other legal services.

Focus on Women

Women can experience particular forms of racism, for example assaults and abuse directed at Muslim women because of their dress code and abuse directed at women, including pregnant women, arising out of the presumption that non nationals have children in Ireland for the sole purpose of residency.

The protections against assaults and abuse, including domestic violence, should be monitored and proofed to ensure they are fully inclusive of the experience of minority ethnic women. The trafficking of women for the purposes of exploitation, including the sex industry, was also identified as a linked issue of concern. There was concern that measures to address such trafficking should not prevent people seeking asylum in Ireland.

Ensuring the protection of unaccompanied minors applying for asylum is a particular issue that requires a multifaceted and integrated response by service providers. A new initiative, building on existing work undertaken in this area, should be developed in the course of the Plan.

There should be ongoing analysis and monitoring of the outcomes for minority ethnic women arising from cases referred to the ODEI-the Equality Tribunal that will help shape future equality strategies.

Data and Research

The generation of analysis of disaggregated data on the protections provided against racism, including discrimination, incitement, assaults and related abuse, is an important means of tailoring

more effective and targeted actions and benchmarking progress in tackling these forms of racism. A key focus for data and research under this objective includes:

- The design of national crime and victim surveys to include disaggregated data on the experience of minority ethnic groups.
- The outlawing of 'racial profiling' by law enforcement bodies.
- The role of the Garda annual report in providing clear data and analysis on trends in all crime and their motivation, including crime motivated by racism under 'headline' and 'non headline' offences¹⁶.
- The inclusion of a specific focus on racist crime in the remit and work of the National Crime Council.
- The design and analysis of comparative data on crime with other EU countries and the key role of the RAXEN¹⁷ initiative in this process.

Linked Policy Area: The Role of International Instruments

Key international instruments have the potential to enhance protection against racism in Ireland through their incorporation into domestic legislation and through reporting and scrutiny mechanisms. Some of the most important of these identified in the consultative process included:

International Convention on the Elimination of all Forms of Racial Discrimination, 1969. (ICERD):

The most important international instrument in relation to racism. The first report from Ireland will be completed in 2003 and provides an important opportunity from which to benchmark progress against racism in future years, including the effectiveness of the NPAR.

The Universal Declaration of Human Rights, 1948. (UDHR): Article 1 of the UDHR proclaims that all human beings are born free and equal in dignity

¹⁶ Formerly indictable and non indictable offences.

¹⁷ RAXEN is the data collection system developed by the European Monitoring Centre on Racism and Xenophobia.

and rights and establishes key human rights protections and standards.

The Convention on the Elimination of all Forms of Discrimination Against Women, 1979 and its optional protocol, 1999. (CEDAW): Reports from Ireland related to CEDAW should include a specific focus on minority ethnic women that can benchmark progress in tackling multiple forms of discrimination.

The Council of Europe Framework Convention for the Protection of National Minorities: Ratified by Ireland in 1999 provides important protections in relation to national minorities.

The European Convention on Human Rights, 1950. (ECHR): The full incorporation into Irish law was highlighted as being important to underpinning human rights protection generally and protection against racism in particular. Article 14 and Protocol 12 of the ECHR (which has been signed by Ireland, but has not yet come into force) are of particular relevance.

The UN Convention relating to the Status of Refugees, 1951 and additional Protocol 1966: Concern that the Geneva Convention continues to provide protection for refugees and is not weakened in any form.

The International Convention on the Protection of the Rights of Migrant Workers and their Families, 1990: Ireland's ratification could provide the basis of additional protections for migrant workers¹⁸ (see also objective two)

The Charter of Fundamental Rights of the European Union (2000):

The Charter of Fundamental Rights combines in one text the civil, political, economic, social and societal rights drawn from a number of instruments. The question of the Charter's force has yet to be determined but has the potential to

form the basis of a Bill of Rights within a proposed European Constitution.

Objective Two: Inclusion

Objective Two: Ensuring economic inclusion and equality, including a focus on poverty, employment and the workplace.

Objective Two is primarily concerned with economic inclusion and equality, including a focus on poverty, income adequacy, employment and the workplace and the impact of broader economic policy. Racism and poverty needs to be addressed in a holistic way. Poverty, marginalisation from employment and economic disparities can often be closely related to racism and can contribute to the persistence of racist attitudes and broader inequalities. These concerns must be part of the revised National Action Plan Against Poverty and Social Exclusion and must seek to build on broader government policy in tackling poverty and social exclusion in Irish society.

There are important linked areas of policy that can impact on economic exclusion, for example aspects of immigration, policy on Travellers and policy on refugees and asylum seekers.

Summary of Keys Issues and Priorities

Inclusion: Key issues

In the consultative process there was a strong focus on economic issues related to combating racism and supporting the development of a more inclusive and intercultural society in Ireland. Of immediate concern were issues around poverty, which can be experienced by a diverse range of communities in Ireland, including people from minority ethnic groups. This issue is well documented in relation to the Traveller community and is beginning to be considered in relation to other minority ethnic communities.

¹⁸ The Convention requires the signing by one more country to come into force.

Of further concern was the need to ensure that broader Government economic and related policy has a positive impact on the needs of minority ethnic groups. Key planning instruments such as the successive National Development Plans, the annual budget and Social Partnership Agreements should seek to have a stronger and more consistent impact on poverty, including poverty experienced by minority ethnic groups.

The National Action Plan Against Poverty and Social Exclusion (NAPs/Inclusion) has a key overarching role to play in tackling the intersection between racism and poverty. The first National Action Plan Against Poverty covered the period 2001-2003. A second NAPs/Inclusion is due to be submitted by individual EU governments, including Ireland by July 31, 2003.

A specific issue related to poverty and income adequacy identified was the continued lack of access to employment and the level of benefits to asylum seekers. This has the linked effect of reducing interaction and integration with host communities and may have contributed to labelling and stereotyping of asylum seekers¹⁹. Many contended during the consultative process that asylum seekers should have the right to work after a set period. The levels of benefits to asylum seekers arising from 'Direct Provision' was identified as an issue of concern during the consultative process and there were calls for parity of income support between asylum seekers and Irish citizens in similar need of support. Existing benefits including child benefit and exceptional needs payments should, at the very least, be protected.

Travellers experience both high levels of unemployment and a range of factors that militate against self-employment including access to insurance and insecurity over accommodation. These have been highlighted in the Task Force of

the Travelling People (1995) and in subsequent monitoring reports linked to this Report.

Ireland's economy is increasingly reliant on minority ethnic groups (including migrant workers) in key sectors, including health, agriculture and food processing and tourism. As well as the human rights and equality imperatives to combat racism there is a strong economic imperative to ensure the experience of minority ethnic groups in the workplace is positive and staff are both attracted and retained.

There was concern expressed about aspects of the work permit scheme, in particular the condition that the employer holds the work permit rather than the worker, leading to fears based on emerging evidence, that some employers may exploit this dependency to diminish workplace conditions and employment rights.

There were concerns about the potential exploitation of undocumented workers who are particularly vulnerable to poor pay and conditions, discrimination and limited access to public services.

Inclusion: Key Priorities and Indicative Actions

Inclusion in Measures to tackle poverty

High-level measures should be in place to ensure that all relevant programmes focussing on poverty and social exclusion should be inclusive and impact on the needs of all potentially excluded groups, including minority ethnic groups. Of particular relevance is the inclusion of an anti racism/intercultural dimension into the National Action Plan Against Poverty and Social Exclusion and specific programmes such as Local Development Social Inclusion Programme, RAPID, Clár, the Community Development Programme and the work of agencies such as Area Development Management and the Combat Poverty Agency.

¹⁹ Some participants in the consultative process felt that granting employment for asylum seekers would be an unwelcome pull factor and could potentially undermine the integrity of the asylum process.

Inclusion in Macro Socio-economic instruments

There should be a requirement and appropriate mechanisms in place to ensure that broader socio economic policy instruments including the Annual Budget, the National Development Plan and the Social Partner Agreement should be inclusive of and proofed for impact on minority ethnic groups.

This could in part be achieved by a new statutory requirement to provide an impact assessment of such instruments. The Cabinet Committee on Social Inclusion, specialised bodies and bodies that support national partnership such have a potentially important role in this realising this priority. Minimum wage and collective agreements have also a key role to play in ensuring economic inclusion and equality. Those involved in social partnership, including employer, trade union, farming and community bodies have an important role in ensuring such rights and agreements are inclusive of minority ethnic groups.

Employment

Access to and experience in employment should be an important focus for the NPAR. Indicative actions in this area include:

- Greater enforcement of existing employment legislation in tackling poor pay and conditions among all workers including migrant workers and workers from minority ethnic groups.
- Ensuring that bodies responsible for the enforcement of employment legislation have sufficient resources to carry out their role effectively.
- Effective action against rogue employment agencies.
- Enforcement of the provision of accessible information on workplace related rights and responsibilities.

- Focus on the access and participation of women from minority ethnic groups to employment.
- Focus on people with disabilities from minority ethnic groups and their access to and participation in employment.
- The need for the farming, agriculture and tourism sectors to be more involved and to develop sector related anti racism and intercultural strategies.
- The need for a significant new initiative in the public sector to realise employment outcomes for minority ethnic groups.
- Asylum seekers should have the right to work if their claim for refugee status has not been processed within six months²⁰.
- The need to develop policies to prevent the emergence of a large population of undocumented migrants open to exploitation, including research on the extent and most appropriate strategies to address this issue.

The Workplace

The workplace provides an important focus for the development of strategies to combat racism and support inclusion. Priorities in this area include:

- Anti racism awareness raising and training for staff.
- The development of 'whole company' anti racism and diversity strategies, which would be consistent to the 'whole organisation' approach under Objective Three.
- Anti racism and intercultural policies within a broader equality and diversity framework.
- Data and monitoring mechanisms.
- A focus on workplaces not already included in anti racism/equality strategies with particular focus on lower paid employment in areas such as agriculture, food processing and tourism.

²⁰ There was concern expressed that such a measure would encourage some asylum seekers to delay the processing of their applications.

- The continued role of Anti Racist Workplace Week and initiatives linked to March 21st, International Day Against Racism.

Specific barriers to access and progress in employment should be removed

Examples of these barriers include:

- Unjustified non-recognition of qualifications.
- Careful consideration of the requirement of Irish to ensure that it does not unreasonably prevent access to employment for minority ethnic groups in particular jobs and the consideration of exemptions where necessary.
- Failure to promote people from minority ethnic groups beyond a certain grade ('glass ceilings').
- The additional difficulties of Travellers and refugees in obtaining insurance.

Income Supports

The levels of benefits to asylum seekers arising from Direct Provision should be reviewed to ensure parity with Irish citizens in similar need of support. Existing benefits including child benefit and exceptional needs payments should be protected.

Focus on Women and Children

Women from minority ethnic groups sometimes experience additional barriers in accessing employment and also experience higher levels of poverty, often because of family commitments. Minority ethnic women should be specifically included in national childcare policy and significant policy initiatives linked to children, including the Children's Strategy²¹.

Support and Promotion of Businesses and Enterprises

There is a long tradition among minority ethnic groups in many countries on self-reliance and

developing their own businesses, sometimes from necessity. Targeted measures should be put in place to ensure that minority ethnic groups are aware of and encouraged to access and participate in business, enterprise and social economy supports and related networks.

Linked Policy: Immigration

The forthcoming review of immigration policy provides significant opportunities to bring in additional protections and rights for migrants workers in Ireland. Identified indicative actions related to immigration policy included:

- Immigration policy should not be left to the market, nor should it be solely concerned with control. Immigration policy should be planned and managed, including projections and supports in key employment areas.
- Ireland's ratification of the International Convention on the Protection of the Rights of Migrant Workers and their Families (1990).
- The overall revision of the work permit/visa scheme, its establishment on a statutory basis.
- Work permits should be held by the employee on a similar basis to the visa scheme.²²
- Broadening the range of visas and permits available.

Objective Three: Provision

Objective Three: Seeking equality of access to, participation in and outcomes from service provision for minority ethnic groups.

Access to, participation in and outcomes from quality public services has a significant role in building an inclusive and intercultural society in Ireland. The key services that are highlighted in this part of the summary include health, accommodation, education and training at national, regional and local levels. It is intended that the issues and priorities raised in this section

²¹ See also access, participation and outcomes from education in Objective Four.

²² There was some concern about employers' investment in recruitment if this occurred. Moreover in countries that operate a 'Green Card' system, such permits are usually restricted to those with skills in short supply.

should not be limited to the key services highlighted, but should be considered by all service providers, including those in the statutory, semi-state and commercial sectors.

Service Provision: Key Issues

A number of service providers, in particular statutory service providers are beginning to develop strategies to combat racism and to support cultural diversity as part of the broader Quality Customer Service and equality agenda. However there were a number of key issues identified in the consultative process that indicates that there must be a stronger focus on anti racism and interculturalism in service provision. These include:

- The potential for institutional and systemic racism. This form of racism, often unintentional, can be caused through ignorance, lack of thought or inadequate planning and can result in failure or weaker or inconsistent service provision to minority ethnic groups.
- The persistence of the 'one cap fits all' approach, whereby services are presumed accessible and to have equal outcomes for all service users, despite evidence that some groups have additional or diversity of needs not being met through existing provision.
- The lack of, or gaps in available data including data generated through the Census of Population and other national programmes. Such data is crucial in respect of planning for the needs of minority ethnic groups and to benchmark progress over a period of time.

Service Provision: Key Priorities and Indicative Actions

'Whole Organisation' Approach

A whole organisation approach is about a framework response to combating racism and supporting intercultural strategies within an organisation, with reference to equality and diversity policies and equality action plans. It

seeks to focus on three key dimensions of an organisation, which are:

- Organisational ethos (formal and informal)
- The workplace, including the management of human resources
- Service provision

Training and related organisational policies have a key role to play in developing a whole organisation approach. Examples of intercultural supports within the workplace include: Induction programmes and anti racism/equality awareness training programmes for staff; English language training facilitated by the employer in partnership with relevant language support bodies; accommodating cultural diversity among staff and equality action plans.

Mainstreaming

Mainstreaming seeks to ensure that:

- The needs of minority ethnic groups are included in the planning, implementation and review of the major activities undertaken at a policy and organisational level.
- The development of anti racism and intercultural strategies at a policy and organisational level.
- The proofing of policy and implementation strategies for their impact on minority ethnic groups, guided by the aims and objectives set out in the NPAR.

The Quality Customer Service strand of the Strategic Management Initiative, which aims to promote better service delivery in the public sector within the context of public service modernisation, includes important commitments to equality and diversity. These commitments should now be further strengthened and be integrated with a new statutory duty to promote equality (see Objective One), which should include a strong focus in on access to, participation in and outcomes for minority ethnic groups in service provision. These provisions could be extended in time to semi-state and private sector service delivery. There should

be a particular focus on women and the other groups protected under the equality legislation in the participation in and outcomes from service provision.

Targeting

This involves the targeting of additional resources through specific strategies related to service provision in key areas such as health, accommodation and education and training. Targeting should seek to avoid the development of segregated services.

Participation

The enhancement of minority ethnic participation in service provision involves a range of mechanisms that widens access to decision making, including advisory committees and partnership initiatives undertaken with the full participation of the concerned groups. This participation needs to be facilitated and resourced.

Data

There is an urgent need to develop baseline data that can benchmark the progress of minority ethnic groups in relation to issues such as employment, health, education and training and accommodation.

Health

Health: Key issues

Health studies in Ireland and elsewhere have indicated that minority ethnic groups can experience higher illness and mortality rates. The reasons for this are interlinked and multidimensional and require an equivalent response. Consideration of living conditions, income, gender, disability, family and community supports available can all have an impact on health and general well being. These can be significantly compounded by discrimination or a failure to take into account cultural diversity when planning and delivering health and related services.

An increased focus on primary health care strategies in recent health related policy statements is welcomed as it seeks to take it account the context in which people live and the impact that this has on health.

The continued delivery of quality health services in Ireland is in large part dependent on both attracting and retaining staff from non-European Economic Area (EEA) countries to work as doctors, nurses, ancillary staff and other health care professionals. Further strategies need to be put in place to ensure that the overall workplace experience for minority ethnic groups in our health services is positive.

Health: Key Priorities and indicative actions

Mainstreaming: Health strategies should seek to impact on the needs of minority ethnic groups

In respect of health policy, the visibility of minority ethnic groups in existing and forthcoming significant health strategies should be significantly increased. The most important of these currently are:

- The National Health Strategy
- The National Health Promotion Strategy
- The National Health Information Strategy
- The National Strategy for Health Research
- The commitments on health in the National Anti Poverty Strategy and the forthcoming NAPs/Inclusion
- The Action Plan for People Management in the Health Sector

Targeting

Targeted initiatives such as the Traveller Health Strategy which has a strong focus on primary health care, provide the potential to impact on the health needs of minority ethnic groups provided sufficient resources are allocated and the approach set out in the Strategy is fully implemented.

Targeted strategies towards other groups such as refugees and asylum seekers should also be developed under the NPAR, based on needs analysis and related action plans. One example highlighted in the consultative process is the need for health and psychological services to develop a stronger focus on the victims of torture coming to Ireland as asylum seekers.

A focus on the particular/additional health needs of both women and men from minority ethnic groups should be considered as part of targeted initiatives developed as part of the Plan.

Participation: Focus on Staff and Health Care Users

Clear policy direction from the Department of Health and Children, including the development of intercultural guidelines/codes of practice for both staff and health care users was identified as an important indicative action that would be consistent with the NPAR.²³

A further indicative action identified in the consultative process would be to establish a national forum, representative of a range of health service interests, representatives from minority ethnic groups and key specialised and expert bodies with a focus on equality and anti racism.

The development of other consultative mechanisms involving bodies representing minority ethnic groups should be further developed and minority ethnic groups should be invited to participate in strategic committees overseeing specific health policy initiatives.

Partnership initiatives between health bodies and NGO's working with minority ethnic groups should be further developed, particularly in regard to primary health care strategies.

Strategies for the incorporation of the needs of minority ethnic groups in the strategic and customer action plans of all health boards should

be developed under the NPAR. There was also a strong focus on the development of anti racism/intercultural policies in the matters related to the employment and retention of health care professionals and through specific training programmes for nurses, doctors, other healthcare professionals and ancillary workers.

Data: Benchmarking Progress

There are significant gaps in our knowledge about the health care needs of minority ethnic groups and the experience of minority ethnic workers in the health care sector. An audit of existing knowledge and gaps should be undertaken to identify future priorities and the most appropriate methodologies for collecting and analysing data and acting on such data should be identified.

Accommodation

Accommodation: Key issues

There were a number of issues identified in the consultative process concerned with the impact of accommodation related policy on particular minority ethnic groups.

Key issues included, the relative lack of, or slow progress in developing additional units of accommodation for Travellers, while there was acknowledgement of progress on site refurbishment. There was a concerted call for the establishment of a new institutional mechanism to ensure local authorities fully and efficiently discharge their responsibilities in the provision of Traveller accommodation and there was continuing concern about the impact of the Housing (Miscellaneous Provisions) Act, 2002 on Travellers waiting for accommodation.

In respect of asylum seekers, there were concerns about aspects of the accommodation/dispersal strand of 'Direct Provision', including the use of large-scale accommodation centres or isolated centres and variation of standards between centres. Some felt that there was no place for

²³ See also workplace, under Objective Two.

Direct Provision and that it contributed to the isolation and stereotyping experienced by asylum seekers, others felt that Direct Provision has to play a significant part in the accommodation needs of asylum seekers, given the present high cost, inconsistent standards and limited monitoring and enforcement of rights in the private rented sector. They advocate the present system of Direct Provision could be improved, including through more consultation at local and national level²⁴.

There was further concern in relation to black and minority ethnic groups in relation to access to affordable housing and the need for greater regulation and enforcement of minimum standards in the private rented sector, including prevention of discrimination. Ensuring wider access to low cost social housing was also emphasised, as was the need for local authorities to tackle racist harassment as a part of effective estate management policies.

The issue of spatial segregation in accommodation is a complex and multi dimensional one that requires an equivalent response from agencies involved in accommodation, including all forms of housing tenure. Widespread segregation in housing does not yet exist, but its emergence in other countries and its link with poverty has reinforced social exclusion in some circumstances. The consideration of this issue must take into account choice, proximity to families, including extended families and cultural tradition.

Accommodation: Key Priorities and Indicative Actions

Mainstreaming

The needs of minority ethnic groups should be included in all major policy initiatives related to accommodation. This includes macro policy related to planning and accommodation and where appropriate, the carrying of impact assessments to determine how policy will impact on minority ethnic

groups in the both the social housing sector and the home ownership/private rented sector.

Targeting: Traveller Accommodation

The establishment of a new agency/office²⁵ under the aegis of the government to ensure local authorities fully implement Traveller accommodation plans should be implemented under the Plan. The Housing (Miscellaneous Provisions) Act, 2002 should be reviewed and amended to ensure that Travellers on accommodation waiting lists are protected from eviction or to ensure adequate temporary accommodation is provided in agreement with all parties concerned.

Targeting: Refugees and Asylum Seekers

The accommodation (and related income support) strategy under Direct Provision and Dispersal should be reviewed with the participation of groups representing the interests of refugees and asylum seekers. A clear strategy on standards in relation to all aspects of Direct Provision should be published and consultative and complaint mechanisms within centres should be enhanced. Part of this approach should have a focus on the particular accommodation needs of families, pregnant women, unaccompanied minors and extended families such as in the Roma community.

Targeting: Migrant Workers

Strategies around the support, provision and standards around accommodation for migrant workers should be developed as part of the NPAR.

Targeting: Homelessness

Strategies to address homelessness should seek to take into account the needs of all those who are homeless, including people from minority ethnic groups and to take into account issues such as discrimination in the private rented sector as an additional factor leading to homelessness.

²⁴ See also references to Direct Provision under the 'Inclusion' section.

²⁵ Either with a specific accommodation role or a more generalist responsibility for ensuring progression of all Traveller related policy.

Targeting: Private rented Sector and Social Housing

Targeted initiatives with local authorities/social housing bodies and estate agents/letting agencies in the private rented sector on all aspects of estate/housing management policies, including letting policies, tenancy agreements and tackling anti social behaviour motivated by racism.

Participation

The participation of groups in the development of accommodation policy, for example, through the establishment of the Refugee Advisory Board. The Advisory Board has been legislated for, but has not yet been established. Its establishment was identified as a key means of facilitating consultation with the refugee organisations at a national level around all issues related to refugee and asylum seekers, including accommodation.

Data

To develop methodologies for benchmarking and assessing experience of access to participation in and outcomes for minority ethnic groups arising from accommodation policies. A further identified indicative action was to undertake research and further consultation to consider the issue of spatial segregation in planning and linked accommodation/housing policies.

Education and Training

Education and Training: Key Issues

There was a focus on access to, participation in and outcomes from all levels of education and training in the consultative process including:

- Pre school level
- Primary level
- Second level
- Adult, further and vocational education level
- Third level

The role of education was identified as one of the most important means to combat racism and develop a more inclusive and intercultural society in Ireland. The Department of Education and Science has played a key role in facilitating discussion and commitment to the development of the NPAR and the outcome of this process are included in this section²⁶.

The consultative process highlighted that there has been significant developments at both a policy and practice level that have the potential to provide an important basis for future progress in building an anti racism and intercultural dimension to education policy in Ireland. It is also evident that that such developments have to date have sometimes tended to be inconsistent and not given sufficient status or momentum, but this picture is beginning to change. Particular issues identified included:

- Poor participation of Travellers beyond the second year of second level education, which is the outcome of a range of interlinked factors.
- The need to review the balance between participation in Traveller training units and the need for increased participation in mainstream second level schools.
- Recognition of the diversity of education and training needs of minority ethnic groups. Many asylum seekers and refugees have good second and sometimes third level education qualifications. Others such as many in the Roma community have been had little previous opportunity to participate in education.
- Lower participation of women from minority ethnic groups in education and training.
- Lack of sufficient research and data (beyond data related to enrolment) on the access, participation and outcomes for minority ethnic groups in all levels of education and training.
- Concerns that there are insufficient supports for intercultural education and training for teachers

²⁶ Department of Education and Science, (2002). Promoting Anti Racism and Interculturalism in Education. www.irishgov.ie/educ.

and trainers, including human resources and curriculum material

- The need for a more comprehensive approach to language training and adult education provision for migrants, including refugees and asylum seekers, based on consultation and needs analysis.
- The limitations on the access and supports to third level because of legal status. For example, the cost of third level fees in Ireland for most non-EU nationals²⁷, including long-term residents (often double or more of normal fees) and access to grant support (for example refugees are not entitled to reduced /free fees until after three years residency).
- Increased recognition and support for community based initiatives linked to education and training.

Education and Training: Priorities and indicative Actions

Mainstreaming: The building of an intercultural and anti racism dimension to education and training policy in Ireland

Anti racism and intercultural programmes should be developed at all levels of training and education. 'At national level, the Department of Education and Science should provide for a coordinated strategy in regard to anti racism and interculturalism at every level of the system, building on the approach to the establishment of the Social Inclusion Unit'²⁸.

Mainstreaming: Whole School/College Approach

The adoption of a 'whole school' or 'whole college' approach, including the development of an intercultural and anti racism dimension to planning and evaluation, are an important component of an overall approach. Such policies should include all aspects of the management of a school/college, from its admission and recruitment policies to the

curricula. This priority is consistent with the 'whole organisation' approach advocated for all service providers.

Targeting

The education needs of minority ethnic groups and people within ethnic groups can vary considerably. Where poverty, racism and failure to accommodate ethnicity and other forms of diversity, combine, social exclusion in the education system can be multiplied. This is particularly evident in respect of women from minority ethnic groups, Travellers and some communities in the asylum process. There are significant challenges in meeting this diversity of education needs.

There has been a range of targeted strategies that have proved effective in progressing the education needs of minority ethnic groups, including adult education and language provision for refugees and asylum seekers. The NGO sector has a key role to play in developing education and community development strategies with Travellers. Where these strategies have proved effective, they should be built on and expanded.

The specific barriers experienced by women and other groups identified in the equality legislation should be included in targeted strategies, through needs assessments and consultative processes. There has been innovative groundwork undertaken to develop intercultural approaches at preschool level, which should be mainstreamed.

Fee levels and accessibility to reduced and free fees to non-EU nationals, including refugees should be reviewed and addressed. The adequacy of supports and their application provided to primary and second level schools re: non-nationals and Travellers also needs greater monitoring and review.

²⁷ Excluding refugees.

²⁸ Ibid, p23.

It is proposed that FÁS in partnership with representatives of minority ethnic groups and other training/education bodies should draw up a strategy focussing on access to, participation in and outcomes from vocational training for minority ethnic groups that would define future strategy.

Participation

The inclusion of groups representing the needs of minority ethnic groups on to education and training policy advisory committees and the development of related partnership initiatives.

Data

Data on school/college enrolments need to be disaggregated along ethnic as well as national grounds. There is a need for data, which goes beyond enrolment/access to education to data and related research that has a focus on participation/experience and outcomes of students (including qualifications) from the education system. Mainstream data collection systems such as enrolment returns and longitudinal studies that track student progress over a number of years should be complemented by targeted data collection and analysis.

Linked Policy Area: Youth Sector

There was a strong focus on the role of the youth sector in combating racism at both the WCAR and during the consultative process. Youth organisations have played a key role in highlighting and combating racism in Ireland. As part of the NPAR it is proposed that a new, centrally resourced initiative should be undertaken with key organisations involved in the youth sector and linked to the objectives set out in this Plan. The needs of particularly vulnerable groups, including unaccompanied minors involved in the asylum process, should be targeted in line with the outcomes of research and consultation. The overall Plan should be proofed to ensure that is

inclusive of the needs of both older and younger people.

Objective Four: Participation

Objective Four: The NPAR should support the full participation of minority ethnic groups in Irish society, including a focus on decision making

This section of the report looks at access to participation and outcomes from decision making on the needs of minority ethnic groups at the following levels:

- Political level
- Policy level
- Community level

Decision Making: Key Issues

At a political level, key issues identified in the consultative process included the need for political parties to continue to effectively police and enforce the Anti Racism Protocol governing political parties and elections²⁹. This Protocol seeks to ensure that political parties actively challenge racism and to ensure that candidates in elections do not engage in actions or speech that stigmatises communities for the purposes of short-term political gain.

There have been members of minority ethnic communities who have served as public representatives in the Oireachtas, although this representation has declined in recent years. Positive action measures should be considered to ensure that the diversity of public representatives is more reflective of the diversity in Ireland and that the interests of minority ethnic groups are effectively represented at political level. The role of Seanad Éireann in facilitating such participation was identified as one possible mechanism.

²⁹ Developed by the NCCRI and endorsed by the Know Racism Programme.

At a policy level, the participation of minority ethnic groups in the policy process will require a range of strategies, including participation in key departmental and other policy advisory committees as well as technical support, capacity building and resources for groups seeking to engage in the policy process.

At a community level, is a both a need to enhance community development supports for groups to facilitate their participation in local decision making including bodies linked to local government and integrated bodies concerned with policy and social inclusion such as initiatives supported by the Local Development Social Inclusion Programme, City/County Development Boards.

Decision Making: Key Priorities and Indicative Actions

Key priorities include:

- The continued support and enhancement of the Anti Racism Protocol and the encouragement of the use of effective internal party disciplinary measures against politicians who transgress its provisions.
- The continued monitoring of the effectiveness of the Protocol and its expansion to cover referendum campaigns and to consider similar protocols for other areas, such as the media.
- Building a stronger focus for local government bodies in combating racism and building interculturalism through, for example, through area and county based partnerships and the possibility of expanding the work and remit of Social Inclusion Units.
- Enhancing the role of the NCCRI in helping to facilitate participation in policy planning, implementation and review.
- Supporting the continued development of national networks, which work closely with minority ethnic groups, including adequate and long-term resource commitments.
- Ensuring the support (including, where appropriate, funding) for the emergence of organisations representing minority ethnic groups, including those working with women from minority ethnic groups.
- Seeking to ensure that the recruitment strategies of political parties are inclusive of minority ethnic groups.
- The development of a 'protocol' outlining standards in consultation processes between government and non-government bodies
- The reservation of two places in the Seanad Éireann for spokespeople on behalf of minority ethnic groups.
- Ensuring that the Community Development Support Programme expands its support of minority ethnic groups to cover new communities in Ireland, based on recent research.
- Ensuring that local bodies concerned with policy development such as City/County Development Boards (CDB's) are reflective of the needs of minority ethnic groups, including participation on policy advisory boards and committees.
- Ensuring the participation of the Office of Director of Community and Enterprise in local authorities in developing the plan at local level.
- Ensuring that the action plans of integrated bodies including CDB's and partnerships are inclusive of the needs of minority ethnic groups.
- Ensuring participation of minority ethnic groups in the National Development Plan and Social Partner Agreements.

Objective Five: Recognition

Objective Five: The NPAR should seek to enhance recognition and respect of cultural diversity in Ireland through the promotion of interaction and understanding between people, including a focus on:

1. Awareness Raising
2. The Media
3. Intercultural dialogue and interaction

Section One: Awareness Raising

Key Issues: Awareness Raising

There has been a range of important awareness raising strategies and initiatives in Ireland, which have been aimed at the need to combat racism and working towards building a more inclusive and intercultural society in Ireland. Awareness strategies and initiatives have been undertaken by a range of bodies including Government, specialised and expert bodies and social partner organisations, in particular community and voluntary organisations at a national and local level.

A key development in recent years has been the funding and support provided under the 'Know Racism' National Public Awareness Programme, the development of Anti Racist Workplace Week³⁰ in early November and a wide range of actions linked to International Day Against Racism, (March 21st) as part of European Week Against Racism³¹. Many NGO's have undertaken initiatives independently or in partnership with national strategies that have made an important contribution to the awareness raising process. Key issues identified in the consultation process included the need to sustain and enhance these strategies and the central importance of the Know Racism Programme to this process.

Key Priorities and Indicative Actions:

Awareness Raising

The consultative process emphasised awareness raising as being of central importance to the NPAR. A range of priorities and indicative actions included:

- The continuation of Know Racism, following an evaluation of the impact of its first three years and the maintenance of the original annual budget levels.
- The development of events linked to March 21st (International Day Against Racism) and Anti Racist Workplace Week (early November) as the two key periods of the year to focus on anti racism and intercultural awareness raising.
- The continued and enhanced support for awareness raising initiatives by NGO's.
- The development of a Traveller specific public awareness programme that follows on from work already undertaken and ensuring that a Traveller focus is built into all anti racism awareness programmes.

Section Two: The Media

Media: Key issues

The role of the media was identified in the consultative process as crucial to the further strengthening of an anti-racist society in Ireland, where cultural diversity is respected and valued. It was emphasised that the role of the media in Ireland has been both positive and negative in this respect. The media has both promoted understanding, awareness and analysis of key issues, however there continues to be examples of irresponsible media reporting that can contribute to stigmatising and labelling minority ethnic communities Ireland.

The most vulnerable groups identified during the consultation to such labelling/stigmatisation were Travellers and recent migrants to Ireland, in particular refugee and asylum seekers. The

³⁰ Coordinated by the Equality Authority, IBEC, ICTU, CIF and Know Racism.

³¹ Coordinated by the NCCRI, Equality Commission for Northern Ireland and Know Racism.

consultation focused on a range of issues, including:

- Tackling irresponsible media, including the need for effective complaints mechanisms and means of redress.
- Support for programming that highlights cultural diversity and anti racism.
- The need for ongoing research and analysis of media coverage of issues related to minority ethnic groups.
- The enhanced participation of journalists from minority ethnic groups in all parts of the media industry, including reporting and production.
- The support of the emergence of media owned/managed by minority ethnic groups³².

Media: Priorities and Indicative Actions

These include:

- Enhanced and consistent complaints and redress procedures within media organisations.
- The development of a Media Protocol, similar to the Political Protocol on media reporting of issues related to minority ethnic groups in Ireland.
- The development of a code of conduct for those working in the media industry.
- The development of an effective Press Council³³ to oversee and enforce complaints and redress, whose role would include a specific focus on racism and interculturalism, including the labelling of communities over a period of time.
- The Broadcasting Commission of Ireland (BCI) should have enhanced powers to renew and attach conditions on the renewal of a radio licenses, particularly if there is strong evidence that a radio station/programme is consistently broadcasting myths and misinformation about minority ethnic groups.

- To fund and support research and media analysis of the coverage of issues related to minority ethnic groups on a regular basis.
- Targeted initiatives, which includes support from the Government, for increased participation of minority ethnic journalists in the Irish media.
- Increased programming examining issues of diversity and racism in Ireland, with governmental support where appropriate.

Section Three: Intercultural Dialogue and Interaction

Dialogue and Interaction: Key issues

One of the key problems identified from research and experience in many countries, including Ireland, is the consequence of lack, or limited intercultural dialogue and interaction with minority ethnic groups and between minority ethnic groups. The reasons for this lack of dialogue and interaction is multidimensional and can include lack of concern or interest by the State in cultural diversity, except when it is perceived as a problem and/or it can be as consequence of minority ethnic groups being reluctant to engage in dialogue or interaction arising from previous negative experience.

The results of this lack of interaction can be increased racism, reinforced social exclusion of minority ethnic groups and increased potential for conflict. A key part of building an inclusive, intercultural society is developing mechanisms for dialogue and interaction, though participation in common activities including community and voluntary work, youth organisation, sport, participation in religious bodies and interfaith dialogue and the greater recognition and support of diversity in cultural heritage strategies within Ireland. These are important elements in building and supporting 'social capital' and community development in Ireland, and their importance should be enhanced through the NPAR.

³² Recent examples of these initiatives in Ireland include Metro Eireann and publications by the African and Russian speaking communities in Ireland.

³³ There was divergence of views on whether this should be established on a statutory basis or not.

Intercultural Dialogue and Interaction: Key priorities and indicative actions

Intercultural dialogue and interaction is central to all of the priorities and actions identified in this report. However it is appropriate that there is also a targeted focus on this theme. Key priorities and indicative actions include a focus on developing an intercultural forum, the role of religious bodies and the role of sport.

Intercultural Forum

A strategic approach to intercultural dialogue and interaction could be realised through an Intercultural Forum, which would meet for a specified time, which would commission research and which would produce a report that would be complementary and integrated into the development of the NPAR. Indicative actions are summarised as follows:

- The development of an Intercultural Forum to consider further how dialogue, understanding and interaction can be promoted through the National Action Plan Against Racism.
- The funding and undertaking of research focussing on intercultural approaches, strategies and actions relate to a range of policy issues.
- The support of minority ethnic groups to engage in this process, including submissions and the development of community needs analysis.
- The Forum should also have a wider equality dimension that seeks to take into account the participation and outcomes for women from minority ethnic groups in intercultural action and across the other equality grounds including disability, age, family status and sexual orientation.

Role of Religious Bodies

Religious bodies and religion can provide an important focus for many minority ethnic communities in Ireland. In addition to the central role of religious bodies in catering for spiritual needs and their participation in education, there are a number of initiatives resourced and supported by religious bodies that provide community supports. These initiatives highlight human rights and equality concerns and seek to promote dialogue and interaction. This important role and resource should be recognised within the NPAR and a significant initiative should be undertaken over the course of the NPAR.

Role of Sport and Leisure

It has been universally recognised that sport provides a powerful mechanism to challenge racism. Sport has long been recognised as an important focus for interaction between diverse communities and people, particularly when there are limited opportunities for interaction through other means. A further dimension is to ensure that sport is free of racism, in particular there is no toleration of racist taunts or harassment from the terraces during sporting fixtures. Based on these two dimensions, a number of anti racism in sport initiatives have already begun to be developed in Ireland, including Sport Against Racism in Ireland, 'Show Racism the Red Card' and initiatives developed through the Know Racism awareness programmes. These now need to be mainstreamed by the main sporting bodies through for example the development of sporting codes of practice and further development of policies agreed by Sports Ministers at Bratislava in 2000.

Role of Community, Youth and Voluntary Organisations

In addition to their valuable role in service and provision and facilitating participation in decision-making at a community and policy level, community and voluntary organisation also play a valuable role in promoting intercultural dialogue and interaction, through community services, through cultural awareness events including local festivals, thorough women's groups and through lobbying. This work requires further recognition and support. The role of community and youth support frameworks such as the Community Development Support Programme, Youth-work

funding programmes and local development through area based partnership have a key role to play in supporting this dimension of the NPAR.

Cultural Heritage Interaction and Supports

The NPAR should recognise and enhance the right of all groups to have the freedom to keep alive and to share their cultural heritage and opportunities³⁴ for example in the areas of education and cultural activities³⁵. Cultural bodies within Ireland should also be more fully involved in recognising and supporting cultural heritage diversity through programmes and grant initiatives.

³⁴ This is a key principle in the Canadian Government's policy on Multiculturalism.

³⁵ For example the support of teaching provided in 'mother tongue' to complement teaching through the medium of English and Irish.

Part Three

Implementation

The implementation of the National Action Plan Against Racism will require the support of a wide range of key stakeholders and the effective use of a number of implementation strategies if it is to meet the aims and objectives set out in this framework. This section is divided into:

- Key Stakeholders, including minority ethnic groups
- Implementation strategies

1. Key Stakeholders, including minority ethnic groups

Government and The Legislature

The National Action Plan Against Racism will be a Government Plan. The Government will have ultimate responsibility in ensuring its success. It is proposed that oversight of the implementation of the NPAR be a cabinet responsibility, through the Cabinet Committee on Social Inclusion

The Oireachtas

The Oireachtas should also play an important oversight role. The NPAR should be presented to the Oireachtas for approval. The Joint Oireachtas Committee on Justice, Equality, Defence and Women's Rights may have a key role in overseeing the process. An annual progress report should also be presented to this committee and the full Oireachtas.

Government Departments

Government Departments will have a major responsibility for ensuring the implementation of the NPAR, including the key role of the Department of Justice, Equality and Law Reform. It is vital that a designated office/unit coordinate the implementation of the Plan within Government and each Department should draw up an

implementation strategy based on the agenda set by the forthcoming NPAR.

Specialised and Expert Bodies

Specialised and expert bodies with a remit in relation to the NPAR should have a key role in moving forward the agenda established in the NPAR. These include, the Equality Authority, the Irish Human Rights Commission and the NCCRI and other bodies.

The Equality Authority

The powers and roles of the Equality Authority should be evolved, including:

- Equality proofing in the public sector generally.
- Assisting service providers in meeting their obligations including through the use of equality reviews and action plans.
- Developing culturally appropriate means of informing members of minority ethnic groups of their rights under equality law.

Irish Human Rights Commission

The IHRC has an important role, with respect of the protection and advancement of human rights in their wider sense. The role within the NPAR should be an evolving one and should:

- Focus on the application of human rights standards related to key dimensions of the Plan.
- Participate in the structures to ensure that the NPAR is effectively implemented.
- Contribute to the North/South element of the plan.

The National Consultative Committee on Racism and Interculturalism

The NCCRI has played a key role in providing support and expert for the development of the NPAR in Ireland, including through all stages of the consultative process.

- The NCCRI should continue to provide advice, expertise and technical assistance through the implementation phase.
- Coordinate the development of the Intercultural Forum identified in this framework.
- Progress some of the specific priorities and actions identified in this Plan, which are consistent with the NCCRI's role and remit including training, community development and awareness raising initiatives.

Other Bodies

There are a range of other key national bodies and initiatives that will have a focus within the NPAR, including the Garda Racial and Intercultural Office, the bodies linked to the refugee application and reception/integration process³⁶; immigration services, employment, education and health services and bodies linked to the administration of justice, including the courts service.

Social Partners, including the Community and Voluntary Sector

Social partner organisations including employer/business bodies; trade unions; farming bodies and the community and voluntary sector have played a vital role in developing and participating in anti racism and intercultural strategies. This role should be enhanced through the development of the NPAR.

The participation of the business, employer and farming sectors is highlighted throughout this report and seek to build and enhance work already commenced by bodies in these sectors. Key dimensions of this participation includes protection and inclusion of minority ethnic groups in the workplace, anti racism training and the

development of whole organisation, including whole company approaches, and awareness raising such as Anti Racist Workplace Week in partnership with IBEC, ICTU, CIF and Know Racism. The role of social partner support for anti racism and intercultural objectives through social partnership and partnership agreements, has been highlighted in this summary.

Particular attention should be given to community development supports for minority ethnic groups through for example the community development and local development programme as well as targeted EU and other national programmes. To date the community sector's role has included:

- Policy submissions and lobbying/campaigning on key concerns related to racism
- Supporting community development and service strategies linked to the needs of minority ethnic groups
- Developing and participating public awareness programmes
- Research and analysis and conceptual basis and manifestations of racism and interculturalism.
- Training initiatives.
- Developing links with other EU and UN bodies and on a North/South basis.

Minority Ethnic Groups

All dimensions of the implementation of the NPAR must involve the active participation of minority ethnic groups in Ireland. The monitoring mechanisms for the NPAR should include a focus on the overall approach adopted, including participation. The resourcing and support for the participation of minority ethnic groups to facilitate their participation is emphasised throughout this summary report.

Research and Policy Bodies

The role of research centres, specialised and expert bodies, universities and in policy advisory

³⁶ Including ORAC, RIA and RAT.

bodies such as the NESF and the NESC all have a key role in pinpointing needs, and ensuring broader government policy effectively addresses racism and supports interculturalism. Needs assessments, opinion polls, consultation with minority ethnic groups and action research are all important mechanisms in this process. Innovative, new ways of undertaking research and the development of Protocol or code of conduct for researchers working with minority ethnic groups were proposed during the consultative phase. The NPAR should seek to identify adequate funding for this work. The important role of the EUMC and the RAXEN initiative and ECRI in generating data and analysis of racism at a national, EU and Council of Europe level has been recognised in this report.

2. Implementation Strategies

Specific implementation strategies identified in this framework are summarised as follows:

Legislation:

The review and if necessary the amendment of legislation in the context of the objectives, issues and priorities set out in this framework across all four strategic objectives, beginning with 'Protection'.

Mainstreaming:

Mainstreaming includes both service provision and broader policy development. Effective mainstreaming involves:

- The establishment of clear anti racist, intercultural and equality objectives for policy and practice, including the use of 'whole organisation' strategies.
- The proofing of policy for its impact on minority ethnic groups, guided by the aims and objectives set out in the NPAR
- Data gathering and monitoring on the outcomes of mainstream policies on minority ethnic groups.
- Statutory duty to promote equality of

opportunity and reasonable accommodation of diversity.

Targeting:

The targeting of resources is a further strategy, complementary to mainstreaming, and includes:

- Targeting in macro strategies, including economic linked measures
- Indicative actions, some of which are identified in this framework
- The needs of specific groups of minority ethnic people, including women, people with disabilities, young and older people, gays and lesbians.

Participation:

Participation of minority ethnic groups in the implementation of the NPAR is a key objective within the Plan. Such participation needs to be resourced if it is to be effective. The mechanisms through which such participation takes place should be enhanced and build upon through the identification of good practice. Models of participation that have been developed in Ireland and elsewhere should be considered in this context.

Data and Monitoring:

The NPAR should include measurable and time focussed targets and indicators to benchmark progress. The priorities and actions should have a synergy with other measures linked to combating social exclusion and inequality and should seek to have a multiplier effect. The importance of the generation of data to support the monitoring process has been emphasised throughout the consultative process.

Funding

The National Action Plan Against Racism needs to be adequately funded to maximise its potential impact. There should be clear budget lines identified for the funding of the Plan in the annual financial planning processes. The resources applied should be sufficient to realise the Plan and should represent good value for money.

Annex One

Membership of the National action Plan Against Racism — Steering Group.

Department/Organisation	Name
Department of Finance	Maeve Collins
Department of Justice, Equality and Law Reform: Equal Status Division	Kathleen Bonar Niall McCutcheon (Chair of Steering Group) Richard Cushnie
Department of Justice, Equality and Law Reform: Asylum Policy Division	David Costello
Department of Justice, Equality and Law Reform: Migration Policy Division	Anne Marie Treacy
Dept. of Social and Family Affairs	Brian O'Raghallaigh
Department of Environment and Local Government	Danny McElhinney Joe McMahon Eugene J. Doyle
Department of Enterprise, Trade and Employment	Anne Gale
Department of Foreign Affairs	Tim Harrington John Rowan John Biggar
Department of Health and Children	Valerie Hughes
Department of Education and Science	Tony Gaynor
Office of the First Minister & Deputy Minister/Northern Ireland Office (Observer Status)	Dr. Gerry Mulligan Ken Fraser Michael Harkin
Pavee Point, Travellers Centre	Ronnie Fay Martin Collins Deirdre McCarthy
Irish Refugee Council	Sr. Anne Scully
Doras Luimni	Donat Mabana
Sport Against Racism, Ireland	Frank Buckley

Department/Organisation	Name
Pan African Congress	Gabriel Okenela Martin Ade-Onojobi
National Traveller Women's Forum	Rosaleen McDonagh, Maria Joyce
ARASI (Association of Refugees and Asylum Seekers in Ireland)	Rutilio Lopez
African Refugee Network	Mubarak Habib
Access Ireland	Nobuhle Nduka Paul Akinsooto Deo Ladislav Ndakengerwa
Comhlámh	Alice Feldman
NASC: Irish Immigrant Support Centre	Aki Stavron Guy B. Nimba
Irish Traveller Movement	David Joyce
Migrant Information Service	Bobby Gilmore Sanuta Magai
Northern Ireland Council for Racial Minorities (NICEM)	Karima Zahi
Equality Authority	Niall Crowley Vincent Edwards
National Consultative Committee on Racism and Interculturalism	Anastasia Crickley Philip Watt Kensika Monshengwo
Irish Human Rights Commission (and Northern Ireland Human Rights Commission)	Michael Farrell Sophie Magennis
Equality Commission for Northern Ireland	Joe Leneghan
Irish Business Employers Confederation (IBEC)	Jackie Harrison Claire Jones
Irish Congress of Trade Unions (ICTU)	Rosheen Callender

Annex Two

Consultative Meetings/Submissions

Submissions Received

Ref:	Organisation / Individual:
1	Seán Ruth & Associates, Training and Development
2	Ruhama Women's Project
3	Church of Scientology
4	Rosemary McLoughlin
5	Kildare Youth Services
6	Immigration Control Platform
7	AKIDWA — Akina Dada Wa Africa and Islamic Cultural Centre of Ireland Women's Project
8	Therese Farrell
9	Comhlámh
10	Marian Cadogan
11	Union of Student's in Ireland
12	Community Worker's Co-operative
13	The Association of Africian Community in Bandon
14	Waterford Traveller Interest Constituency
15	An Sio1
16	Driaocht
17	Waterford Against Racism
18	Irish Psychiatric Association
19	Refugee Information Service
20	Community Development Support Programmes
21	Stephen Meyen
22	Minority Ethnic Group c/o Longford Women's Centre
23	Wexford Area Partnership and the Peoples Resource Centre, Enniscorthy
24	Irish Association of Teachers in Special Education
25	OPEN — One Parent Exchange Network
26	Pavee Point
27	The National Youth Council of Ireland
28	Blakestown & Mountview NeighbourhoodYouth Project
29	STEP Enterprises
30	AONTAS National Association of Adult Education
31	KADE — Kerry Action for Development Education

Ref:	Organisation / Individual:
32	The Africa Solidarity Centre
33	Irish Human Rights Commission
34	Gabrielle Brocklesby
35	Nigerian Support Group
36	Mel McGiobuin
37	Taghmon Action Group
38	Galway City Partnership
39	Tallaght Intercultural Action
40	Midwest Development Education Centre
41	Cork University Hospital Partnership Committee
42	ICON — Inner City Organisations Network
43	Ferns Diocesan Youth Service
44	HEEU- Higher Education Equality Unit
45	Women's Aid
46	Action South Kildare
47	Tobe: Theatre based learning
48	NGO Alliance -Amnesty International, A Part of Ireland Now, Cairde, Comhlámh, Cradle, Dominican Justice Office, Integrating Ireland, Irish Refugee Council, Little Sisters of the Assumption Justice Office
49	Midwest Community Development Centre
50	Irish Nurse's Organisation
51	Western Alliance
52	NCCRI — National Consultative Committee on Racism and Interculturalism
53	Equality Authority
54	National Women's Council
55	Galway Refugee Support Group
56	Social Science Research Centre, UCD
57	Focus & Clann joint submission
58	LYNS (Learning for Young International Students)
59	Irish Traveller Movement
60	Irish Congress of Trade Unions
61	Rehab
62	Soccer Against Racism in Ireland

Education related submissions

63	A Part of Ireland Now Project / Comhlámh
64	Amnesty International
65	Aontas
66	Arts Resources and Training Services
67	Centre for Early Childhood Development and Education
68	Church of Scientology
69	City of Dublin Youth Service Board
70	Comhlámh
71	Film Institute of Ireland
72	Galway City and County Childcare Community
73	Galway Refugee Support Group
74	IBBY
75	Irish National Teachers Organisation (Head Office)
76	Ireland Distance Learning Ltd.
77	Irish Distance Learning Ltd.
78	Irish Association of Teachers in Special Education
79	Irish Traveller Movement
80	Methodist Board of Education
81	National Adult Literacy Strategy
82	National Congress of Catholic Secondary School
83	National Lesbian and Gay Federation
84	National Centre for Guidance in Education
85	Nigeria Support Group
86	Paul Partnership
87	Pavee Point Travellers Centre
88	Presentation Education Office
89	Presentation Education Office
90	South Kerry Development Partnership Ltd.
91	Swords Educate Together
92	The Children's Research centre
93	Trocaire
94	Youth Against Racism and Discrimination

Consultative Meetings

Regional Seminars

Date (2002)	Location
May 21	Cork
May 28	Wexford
June 4	Tullamore
June 7	Galway
June 10	Donegal
June 11	Dublin
June 14	Limerick

Thematic Roundtables

Theme	Date (2002)
Refugees and Asylum Seekers	June 12th
Media	September 10th
Religious groups	September 11th
Workplace	September 12th
Travellers	September 16th
Migrants	September 17th
Women	September 25th
Policing/Administration of law	September 30th
Crosscutting themes	October 4th
Young people and children	October 8th
Education	October 11th
Health	February 14 th 2003

Annex Three

Background Documentation

The following are a range of background documents relevant to this report, which are additional to the submissions identified in Annex Two.

Council of Europe (2001). Proceedings of the European Conference Against Racism.

Department of Education and Science, (2002). Report prepared for the National Education Conference on the National Action Plan Against Racism.

Department of Justice, Equality and Law Reform, (2002). Towards a National Action Plan Against Racism.

European Commission on Racism and Intolerance, (2002). General Policy Recommendation Number Seven.

European Commission on Racism and Intolerance, (2002). Second Report on Ireland.

European Monitoring Centre on Racism and Xenophobia, (2003). RAXEN Reports related to Ireland.

Equality Authority, (2002). Building an Intercultural Society.

Equality Authority, (2002). Key issues related to Selected National Action Plans Against Racism.

Government of Ireland, (2003). Sustaining Progress. Social Partnership Agreement. 2003-2005.

National Action Plan Against Racism Steering Group, (2003). Report of the Consultative Process.

National Crime Council, (2002). Crime in Ireland A Review of Crime Levels and Trends 1950 to 1998.

National Consultative Committee on Racism and Interculturalism (NCCRI), (2000). Towards the World Conference Against Racism. Report of the Ireland Preparatory National Conference.

NCCRI, (2001). Report of the Outcomes of the World Conference Against Racism.

NCCRI, (2003). Guidelines for Developing a Whole Organisation Approach to Address Racism and to Support Interculturalism.

National Economic and Social Forum (NESF), (2002). A Strategic Framework for Equality Issues. Forum Report 23.

United Nation's High Commissioner for Human Rights (UNHCHR), (2001). World Conference Against Racism. Declaration and Programme of Action.

