



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Committee of Ministers
Comité des Ministres

**Resolution CM/ResCMN(2007)10
on the implementation of the Framework Convention for the Protection of
National Minorities
by Ireland**

*(Adopted by the Committee of Ministers on 20 June 2007
at the 999bis meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”);

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;¹

Having regard to the instrument of ratification submitted by Ireland on 7 May 1999;

Recalling that the Government of Ireland transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 3 January 2006;

Having examined the Advisory Committee's second opinion on Ireland, adopted on 30 October 2006, and the written comments of the Government of Ireland, received on 27 February 2007;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Ireland:

a) Positive developments

Ireland has taken a number of steps to improve the implementation of the Framework Convention following the adoption of the first opinion of the Advisory Committee in May 2003 and the Committee of Ministers' Resolution in May 2004. It has espoused an inclusive position as regards the scope of application of the Framework Convention, and the authorities are actively seeking solutions to address new challenges resulting from the expanding diversity of the country.

Ireland has strengthened further its anti-discrimination legislation, and these legal guarantees are reinforced by an advanced institutional framework devoted to issues concerning minorities and non-discrimination.

There are valuable initiatives to tackle racism and manifestations of intolerance, notably in the commendable Action Plan against Racism, which was prepared through an inclusive process.

Ireland has commissioned a high number of studies, plans and reports designed to address problems faced by Travellers, in fields ranging from accommodation to health and education issues. The committee monitoring the implementation of the recommendations of the Task Force on the Travelling Community carried out important work, with significant Traveller participation, up until 2005.

The authorities have planned new data collection activities, which are likely to facilitate efforts to identify and address Travellers' concerns.

b) Issues of concern

¹ In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

There is a need to enhance the involvement of Travellers in the work of the structures dealing with Traveller issues. The recent establishment of a National Traveller Monitoring and Advisory Committee provides an opportunity to address this concern.

Travellers continue to be exposed to discrimination in different contexts, and negative societal attitudes towards them and certain new minority groups persist. These problems are at times fuelled by some media reports promoting negative stereotypes.

The principle of voluntary self-identification of persons belonging to minorities has not always been fully taken into account by the authorities in such contexts as data collection and in discussions on whether the Travellers constitute an ethnic group.

The Equality Tribunal's processing delays are negatively affecting the effectiveness of this remedy, while the transfer of non-discrimination cases concerning licensed premises from the Equality Tribunal to the District Court has prompted concerns.

The implementation of Traveller accommodation plans has been inadequate in a number of localities. Improved provision of halting sites merits particular attention, bearing in mind also the consequences of criminalisation of trespassing.

The Travellers' average school attendance and achievement levels remain low and in some cases negative societal attitudes towards Travellers are felt also in schools. Such problems in the field of education contribute to the significant unemployment amongst Travellers and need to be addressed through the implementation of the Report and Recommendations for a Traveller education strategy.

Further steps are also needed to accommodate the growing diversity of Irish schools, including in relation to the increasing demand for nondenominational or multi-denominational schools.

2. Adopts the following recommendations in respect of Ireland:

In addition to the measures to be taken to implement the detailed recommendations contained in chapters I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- ensure Traveller representatives' effective participation in various bodies dealing with Traveller issues, including through the new National Traveller Monitoring and Advisory Committee, while facilitating Travellers' involvement also in elected bodies;
- pay increasing attention to the principle of self-identification in data collection and other contexts;
- monitor the impact of the recent changes to the complaint mechanisms for non-discrimination cases so as to ensure that they do not harm the accessibility or effectiveness of the remedies available and ensure that the structures concerned are adequately resourced;
- take decisive measures to ensure the implementation of Traveller accommodation plans and the recommendations of the Report for a Traveller education strategy;
- pursue ongoing efforts to accommodate growing diversity in Irish schools, including in terms of demand for non-denomination or multi-denominational schools;
- take further steps aimed to facilitate self employment and other economic activities of the Travellers.

3. Invites the Government of Ireland, in accordance with Resolution (97) 10:

- a. to continue the dialogue in progress with the Advisory Committee;
- b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.