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Report on the Follow-up dialogue to the 4th Opinion of the Advisory Committee on Ireland

Participants and programme

The conference was organised in an online format. Participants included representatives of the Irish authorities from several departments such as the Department of Children, Equality, Disability, Integration & Youth (DCEDIY) or other departments dealing with health, accommodation, education, and justice. Civil Society representatives from Traveller organisations in Ireland were also invited (Pavee Point Traveller and Roma Centre, ITM, NTWF, Minceirs Whiden). The Advisory Committee was represented by Marie B. Hagsgård, President of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) and Martin Collins, member of the ACFC in respect of Ireland.

The programme is appended to this report. More information is available on <https://www.coe.int/en/web/minorities/follow-up-dialogue>

Objective

The follow-up dialogue took place three years after the publication of the 4th Opinion of the Advisory Committee and two years after the adoption of the Resolution of the Committee of Minister [CM/ResCMN\(2019\)14](#). The objective of the event was to invite the authorities to present the latest developments on the implementation of the recommendations for immediate action and recommendations for further action adopted by the Committee of Ministers and to enable a discussion with Traveller representatives, offering their perspectives on dealing with these issues on the “ground”. The President of the ACFC introduced the recommendations and facilitated the exchange of views. For this Follow-up dialogue, two specific recommendations were discussed, the first focusing on the implementation of the National Travellers and Roma Inclusion Strategy in the fields of health, accommodation and education, and the second dealing with access to justice and anti-discrimination legislation on cases related to “places of entertainment”.

Main developments

- Following an introduction by Marie Hagsgård and Martin Collins on the principles, monitoring process of the Framework Convention and the Recommendations from the 4th Opinion of the ACFC on Ireland, the Department of Children, Equality, Disability, Integration & Youth acknowledged the need to improve the implementation of the current National Traveller and Roma Inclusion Strategy (NTRIS). They presented the consultative process in place for designing the next NTRIS and underlined their work on a National Action Plan against Racism and on a review of the Equality legislation.
- On health-related issues, the Department of Health mentioned the importance of the Healthy Communities Programmes, the Traveller Health Units and the local Primary Health Care for Traveller Projects to develop a response to the Covid-19 pandemic in partnership with Travellers. Aware of the higher vulnerabilities of Travellers in this sector, targeted measures to the Covid-19 response on Preventing, Responding and Monitoring were put in place. Traveller representatives highlighted the good cooperation they had with Health Service Executive (HSE) during the crisis and despite facing many difficulties – lack of funding, increased workloads, workloads, and existing health inequalities that they report have been exacerbated due to the pandemic. They also cited the lack of engagement from the Department of Health and an urgent need for the publication and implementation of the National Traveller Health Action Plan, as per the commitment made in the Programme for Government, which has been delayed since 2018. Traveller representatives also highlighted the lack of investment in Traveller health since 2008 and the need for equality data and implementation of ethnic equality monitoring to provide disaggregated data on Travellers and Roma which is required for evidence-based policy and service provision.
- The Department of Housing Planning and Local Government indicated that they have adopted a new Housing Strategy in September 2021 and that they are currently reviewing the Traveller Accommodation Act with the involvement of a Traveller Accommodation Consultative Committee. The Traveller organisations welcomed the recent report “Monitoring Adequate Housing in Ireland” acknowledging “significant disadvantaged”

experienced by Travellers; whilst highlighting the poor living conditions in halting sites – some without basic sanitation, electricity- and the need for culturally appropriate accommodation. They called on the authorities to implement the recommendations of the Expert Group, to repeal the Trespass Act, which criminalises their nomadic way of life, to ensure that funds allocated for Traveller accommodation is spent by Local Authorities.

- The Department of Education and the Department for Further and Higher Education, Research, Innovation and Science presented the materials (guides) and measures (extra-teaching and funds) they developed to provide support for children at risk of education inequality, among which Traveller children are particularly represented. They underlined new programmes for adult literacy and resources available, as well as the cooperation with Pavee Point and NTWF on an Education Forum to identify impact of Covid-19 on the Traveller Community. Traveller representatives welcomed the resources made available to them but pinpointed the legacy of segregated education for Travellers which reflects today in poor educational attainments. They emphasised the need for a Traveller Education Strategy, as per the commitment made in the Programme for Government, with ambitious targets (life-long learning) and a monitoring process, as well as the inclusion, in national school curriculum, textbooks and teacher training, of Traveller history and culture¹.
- Lastly, a representative from the Department of Justice provided information on recent legislative development on anti-discrimination (review of the Equality legislation), on harassment and harmful communication, the forthcoming code on aggravated offense in hate-crime legislation and on the new justice strategy in relation to domestic, sexual and gender-based violence. Additionally, positive action for diversity in the Garda (National police) and training programmes on cultural awareness were mentioned. Traveller representatives recalled the difficulty to access justice in cases of discrimination for their communities, notably regarding the trespass legislation and access to licensed premises and emphasised the needs for measures to increase diversity in the Garda, penitentiary institutions and rehabilitation services.

Conclusions

- Marie B. Hagsgård, President of the ACFC, acknowledged the work done by the Irish authorities regarding the 4th Cycle Recommendations, particularly, in close consultation with representatives of Travellers. She highlighted the possibility to improve data collection through the adoption of an ethnic identifier, and the ways forward for the inclusion of Travellers history and culture in teaching materials and school curricula.
- Maria Joyce, representative of the National Traveller Women's Forum (NTWF), welcomed the recent positive developments but called for a strong policy framework in the fields of accommodation, education and health, to remedy the delays in the publication of the Traveller Health Action Plan and the monitoring of the different strategies put in place by the authorities. She recalled the importance of partnership and effective participation, and of adopting an intersectional approach.
- Martin Collins, ACFC expert in respect of Ireland, thanked the authorities for the possibility to hold a follow-up dialogue and acknowledged the will to go forward in implementing human rights in Ireland, and to do so by nominating Travellers as experts in International Human Rights Monitoring Mechanisms.
- Janet Lacey, from the Department of Children, Equality, Disability, Integration & Youth, acknowledged the work to be done and the progress made, notably in terms of culture, recognition and visibility of Travellers in Ireland, the need to put greater focus on implementation and thanked the participants.

¹ A practice also developed in Spain – see 5th ACFC Opinion on Spain, 2020, para 170-171.

Appendix – Follow-up dialogue meeting programme

Follow-up meeting to the 4th opinion by the Advisory Committee on Ireland

7 December 2021, 9.00-12.30, (Irish Time) Online

Agenda

Welcome address – 2 minutes

- Carol Baxter Assistant Secretary
Department of Children, Equality, Disability, Integration & Youth (DCEDIY)

Opening remarks – 15 minutes

- Marie Hagsgård, Chair of the ACFC, member in respect of Sweden
- Martin Collins, member in respect to Ireland
- Meyeti Payet, secretariat member to the ACFC

Session I – Implementation of the National Traveller and Roma Inclusion Strategy (NTRIS) – 1h30 minutes

Themes based on the recommendations of the Committee of Ministers of the Council of Europe:

Development of the new Ireland National Traveller and Roma Integration Strategy– 2021-2030

- Updates on the review of NTRIS and next steps. - Carol Baxter (5 min)
- Address by Anastasia Crickley former member of FCNM for Ireland and former member of CERD (3 mins)
- Access to health care, development of a National Traveller Health Action Plan
- Access to accommodation, Implementation of the Traveller Accommodation Programme
- Development of a National Traveller Education Strategy, curricula and teaching materials providing knowledge on Travellers

Moderator: Marie Hagsgård, Chair of the ACFC, member in respect of Sweden

1st Panel – Health-related issues – 30 minutes

- Joint Presentation by Jim Walsh, Department of Health and Joe Doyle, Health Service Executive - Irish authorities' representatives
- Joint Presentation by Mary Brigid McCann and Lynsey Kavanagh – Pavee Point Traveller and Roma Centre -Traveller representatives

2nd Panel – Accommodation issues – 30 minutes

- Presentation by Patrick O'Sullivan, Department of Housing Planning & Local Government - Irish authorities' representative
- Presentation by Bernard Joyce, Irish Traveller Movement (ITM) - Traveller representative

3rd Panel – Education and Curricula – 30 minutes

- Joint Presentation by Mary Cregg, Department of Education and Enda Hughes, Department of Further and Higher Education, Research, Innovation & Science - Irish authorities representatives
- Presentation by Marie Joyce, National Traveller Women's Forum (NTWF) - Traveller representative

10-minute break

Session II – Improving access to justice for Irish Travellers – 30 minutes

Theme based on the recommendations of the Committee of Ministers of the Council of Europe:

- *Discrimination in access to "licensed premises"*

Moderator: Marie Hagsgård, Chair of the ACFC, member in respect of Sweden

- Presentation by Deaglán Ó Briain, Department of Justice - Irish authorities' representative
- Presentation by Kathleen Sherlock, Minceirs Whiden (Cant for Travellers talking) - Traveller representative

10-minute break

Conclusions – 30 minutes

- Conclusions by Marie Hagsgård - Chair of the ACFC, member in respect of Sweden
- Conclusions by Maria Joyce - National Traveller Women's Forum (NTWF) - Traveller representative
- Conclusion by Martin Collins - Member of the FCNM Advisory Committee
- Conclusions by Janet Lacey – Department of Children, Equality, Disability, Integration & Youth (DCEDIY) - Irish authorities' representative