

# ECRI REPORT ON ;D7>3@6

(sixth monitoring cycle)



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**ECRI**  
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## FOREWORD

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The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI’s country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI’s reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

**The following report was drawn up by ECRI under its own responsibility. It covers the situation up to 20 March 2025; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.**

## SUMMARY

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**Since the adoption of ECRI's fifth report on Ireland, progress has been made and good practices have been developed in a number of fields.**

ECRI positively notes the efforts put in place to support teachers and school leaders, including training on fostering an inclusive culture in schools, as well as the ongoing implementation of the "Cineáltas: Action Plan on Bullying".

In 2022, the Minister of Justice launched the Undocumented Migrant Scheme that allowed for undocumented migrants and their dependents, who fulfilled specified criteria, to apply to remain in the country and have their residency status regularised.

In the area of LGBTI equality, a draft National LGBTQI+ Inclusion Strategy 2024-2028 had been sent to the Cabinet of the Irish government for approval, and it includes a budget focused on supporting LGBTQI+ services and a specific oversight committee to monitor implementation.

ECRI praises An Garda Síochána, Ireland's National Police, for developing a "Third-Party Referrals" process on behalf of hate crime victims and for establishing a non-emergency online hate crime reporting mechanism. It also considers the Garda National Diversity Unit (GNDU), aimed at ensuring a responsive and equal policing service to minority and diverse communities, as a good practice.

In March 2023, the government launched the National Action Plan Against Racism (NAPAR) 2023-2027, which is a step forward in addressing racism in all its forms, including antisemitism, anti-Muslim racism, racism that impacts Traveller and Roma people and communities, racism affecting people of African descent, as well as migrants, refugees and asylum seekers.

As concerns Travellers and Roma, ECRI positively records the adoption of a number of important frameworks and instruments, including the first Traveller and Roma Education Strategy 2024-2030, the second National Traveller and Roma Inclusion Strategy 2024-2028 (NTRIS II) and the first National Traveller Health Action Plan (NTHAP) 2022-2027.

**ECRI welcomes these positive developments in Ireland. However, despite the progress achieved, some issues give rise to concern.**

The allocation of new mandates and functions to the Irish Human Rights and Equality Commission (IHREC) was not accompanied by adequate human and financial resources, negatively impacting on its effectiveness.

As regards human rights education, its implementation in practice could vary significantly depending on schools and teachers, and there is a need that it comprises mandatory topics to be covered by all schools, such as combating racism and intolerance, including against Travellers and Roma, people of African descent and LGBTI people.

ECRI is concerned about the stark decline in the mental health of LGBTI+ people, and about the fact that so-called conversion practices and medically unnecessary and non-consensual surgeries performed on intersex children are still not prohibited in Ireland.

Hate speech spans across news media, online platforms, and politics, including recent documented examples of politicians' reactions to events in local communities resulting in ill-informed responses, fuelling hatred and escalating tensions further. Most discriminatory content was motivated by anti-migrant, anti-Black/African, anti-refugee/asylum-seeker sentiments. At the same time, 2024 research has shown that harassment and hate speech against LGBTI persons is also still a reality in Ireland, with a notable deterioration in attitudes towards transgender and intersex communities and many LGBTI people feeling unsafe to express their sexual orientation or gender identity in public.

While An Garda Síochána began publishing hate crime data on an annual basis starting from 2022, there is still a lack of disaggregated data and of systematic recording at all stages of investigation, prosecution, conviction and sentencing.

ECRI is also concerned that, according to its findings during the visit, Travellers and Roma continue to face high levels of racism and discrimination across all areas of life, including education, employment, housing, and health.

**In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.**

As regards the Irish equality body, the authorities should i) allocate sufficient human and financial resources to the Irish Human Rights and Equality Commission (IHREC) in order for it to carry out all its functions effectively; ii) take measures to strengthen the IHREC's independence in the recruitment and appointment of its staff; and iii) strengthen cooperation with the IHREC in the field of equality and non-discrimination by replying to or taking action to implement the IHREC's recommendations within a certain timescale.

As concerns intersex persons, the authorities should i) prepare and bring to parliament a comprehensive bill that expressly acknowledges the right of intersex persons to bodily integrity and prohibit the performance of medically unnecessary surgeries (often referred to as "sex-normalising" surgery) and other non-therapeutic treatments until such time as the intersex child is able to participate in the decision, based on the principle of free and informed consent; ii) ensure that appropriate protocols of care for intersex persons are developed; iii) provide intersex equality training for health professionals; iv) establish easily accessible counselling and support services for intersex people and their families.

When it comes to hate speech, the authorities should take steps towards the adoption by parliament of legislative measures aimed at specifying and clearly defining in criminal law expressions of hate speech that are subject to criminal liability, in particular incitement to hatred, violence or discrimination and at ensuring that such expressions of hate speech are punishable

by effective, proportionate and dissuasive sanctions.\*

As concerns Travellers and Roma, the authorities should take decisive action to secure the effective implementation of the National Traveller and Roma Inclusion Strategy 2024-2028 (NTRIS II) and its two-year action plans, in particular by: i) allocating sustainable and sufficient resources; ii) conducting regular monitoring and evaluation; iii) ensuring close cooperation with local authorities, civil society organisations and members of the Traveller and Roma communities.

The authorities should also i) take steps towards the introduction of legislation that clearly prohibits racial profiling by police officers; ii) ensure the collection of appropriately disaggregated data about individuals subjected to stop-and-account/stop-and-search by police officers; iii) incorporate the issue of racial profiling and the reasonable suspicion standard into in-service police training; and iv) enhance police oversight by developing strong internal reporting and external police complaints mechanisms in order to ensure that any racial profiling and other discriminatory practices are promptly detected and subject to effective investigations and, where necessary, appropriately sanctioned.

As regards migrants, the authorities, in close cooperation with local authorities and civil society organisations, should take prompt and effective steps to improve the availability and quality of safe accommodation for international protection beneficiaries and applicants, including measures aimed at ensuring that LGBTI international protection beneficiaries and applicants have access to accommodation which is safe for them and in which they will not experience discrimination.\*

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\* The recommendations in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

## FINDINGS AND RECOMMENDATIONS

### I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

#### A. Equality bodies<sup>1</sup>

1. The Irish Human Rights and Equality Commission (IHREC) is the national equality body and the national human rights institution in Ireland,<sup>2</sup> established under the Irish Human Rights and Equality Commission Act 2014.<sup>3</sup>
2. Since the adoption of ECRI's previous report on Ireland, the IHREC has a significantly expanded mandate.<sup>4</sup> In 2017, it had a budgetary allocation of €6.5 million and an approved staffing level of 47 posts. For 2024, approximately €8.4 million<sup>5</sup> were allocated to its functioning and its staff are composed of 89 people as of 31 December 2023.<sup>6</sup> The equality and non-discrimination mandate, however, is not structured separately within the body, nor are staffing and budgetary resources dedicated to the equality mandate.<sup>7</sup>
3. As outlined in ECRI's General Policy Recommendation No. 2 (revised) on equality bodies to combat racism and intolerance at national level, multi-mandate bodies should be provided with adequate human, technical and financial resources to perform their tasks and competencies effectively.<sup>8</sup> During the 2024 visit to Ireland, the ECRI delegation learned that the allocation of new mandates and functions to the IHREC was not accompanied by adequate and costed funding, nor by additional resources, thereby negatively impacting on IHREC's effectiveness.<sup>9</sup>
4. With regard to independence, ECRI notes that the relevant Minister should consent to the appointment by the IHREC of its own staff. According to the authorities this is a routine provision to ensure that public bodies remain within the expenditure thresholds approved by parliament. Concerns were nevertheless raised about staff recruitment and appointment being not sufficiently broad and transparent.<sup>10</sup>
5. As concerns the authorities' cooperation with the IHREC, the ECRI delegation heard during its 2024 visit to Ireland that there had been at times significant delays in the authorities' replies to requests for information or action made by the IHREC.
6. In the light of ECRI's General Policy Recommendation No. 2 (revised) on equality bodies to combat racism and intolerance at national level, ECRI recommends that

<sup>1</sup> The term "national specialised bodies" was updated to "equality bodies" in the revised version of General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level, which was published on 27 February 2018.

<sup>2</sup> [Irish Human Rights and Equality Commission – Equinet \(equineteurope.org\)](https://www.equineteurope.org/) and [Irish Human Rights and Equality Commission - ENNHRI](https://www.ganuhi.org/).

<sup>3</sup> [Irish Human Rights and Equality Commission Act 2014](https://www.irishstatutebook.ie/eli/2014/act/12/enacted/en/html)

<sup>4</sup> IHREC has a dual status as Ireland's national human rights institution and equality body. It is also the body designated for the purposes of Directive 2014/54/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers. The Commission acts as the National Rapporteur on the Trafficking of Human Beings and as the independent mechanism for promoting and monitoring compliance with the Convention on the Rights of Persons with Disabilities. It also has a designate monitoring role for the Convention Against Torture.

<sup>5</sup> Department of Public Expenditure, NDP Delivery and Reform, [Revised Estimates for Public Services 2024](#) (2024), p. 14.

<sup>6</sup> IHREC, [Annual Report 2023](#) (2024), p.112.

<sup>7</sup> European network of legal experts in gender equality and non-discrimination, Country report Non-discrimination, <https://www.equalitylaw.eu/downloads/6208-ireland-country-report-non-discrimination-2024> (2024), p. 97.

<sup>8</sup> See also, in this connection, [Directive - EU - 2024/1499 - EN - EUR-Lex](#); [Directive - 2024/1500 - EN - EUR-Lex](#); [Strengthening the role of equality bodies across the EU: Council adopts two directives; Standards for Equality Bodies – Equinet](#)

<sup>9</sup> Equinet has established that the allocation of a new mandate to an equality body, without adequate additional resources, should be an indicator to measure compliance with European standards, including ECRI's GPR No. 2: [Equinet's self-assessment indicators for measuring standards for equality bodies](#) (2023), p. 24.

<sup>10</sup> Report on Ireland by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI), [SCA report - GANHRI \(14-24 June 2021\)](#), pp. 16-17.

the authorities: i) allocate sufficient human and financial resources to the Irish Human Rights and Equality Commission (IHREC) in order for it to carry out all its functions effectively; ii) take measures to strengthen the IHREC's independence in the recruitment and appointment of its staff; and iii) strengthen cooperation with the IHREC in the field of equality and non-discrimination by replying to or taking action to implement the IHREC's recommendations within a certain timescale.

7. ECRI notes that all complaints under the Employment Equality Acts and the Equal Status Acts may be brought to the Workplace Relations Commission (WRC),<sup>11</sup> which is the body responsible for deciding on discrimination claims in Ireland in the first instance.<sup>12</sup> Although the WRC is competent to deal with cases of discrimination in the various segments of the labour market, including the provision of goods and services, cases involving licenced premises, such as pubs, nightclubs, hotels and other public venues licensed to sell alcohol, are excluded from its mandate.<sup>13</sup> Further, while the WRC's main functions are related to employment matters, it also deals with equality and discrimination in all areas. As previously highlighted,<sup>14</sup> ECRI encourages the authorities to streamline procedures so that all discrimination cases, on any grounds, are dealt with by the WRC, providing adequate human, technical and financial resources accordingly, and consider renaming the WRC to something more representative of its broad functions.

## **B. Inclusive education**

8. This part of the report deals with policies aimed at combating exclusion and marginalisation through inclusive education and fostering a society that is respectful of diversity and tolerant (sections II and III of ECRI's General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education). The specific measures for the education of children belonging to migrants and minority groups are dealt with in section III of this report.
9. Human rights, citizenship and democracy are addressed across all stages of the curriculum in Ireland, including through the early childhood curriculum framework Aistear, the primary Social, Personal and Health Education (SPHE) curriculum and the Civic Social and Political Education (CSPE) short course. The latter is a mandatory part of the Junior Cycle and consists of 100 hours over a period of three years covering three main strands: Rights and Responsibilities, Global Citizenship, and Exploring Democracy.
10. While the curriculum provides opportunities for addressing human rights and critical thinking in schools, the ECRI delegation learned during the 2024 visit to Ireland that its implementation in practice could vary significantly depending on schools and teachers. In the view of ECRI, this inconsistency undermines the potential for a unified and effective approach to human rights education. Similarly, outside of formal curricula, some schools opt to implement whole-school programmes and campaigns on promoting equality and fighting racism and LGBTI-phobia<sup>15</sup> but this appears not to be widespread, it is offered on a voluntary basis, and schools have significant autonomy in their approach to these topics.

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<sup>11</sup> [Home - Workplace Relations Commission](#)

<sup>12</sup> In 2023, some 6 172 complaint applications were received by the WRC representing 14 158 individual complaints, out of which 1 817 recorded as complaint type of "Discrimination/Equality/Equal Status".

<sup>13</sup> Section 19 of the Intoxicating Liquor Act 2003 requires people claiming discrimination against licenced premises to apply to the District Court rather than the Workplace Relations Commission. This has the effect that Travellers and Roma, who are allegedly often refused entry into such premises, cannot challenge their exclusion through the more accessible WRC and have to go to the Court. Cases that do not occur "on or at the licenced premises" are still dealt with by the WRC.

<sup>14</sup> ECRI fifth-cycle report on Ireland, §17.

<sup>15</sup> NGOs/CSOs such as the Immigrant Council of Ireland, Irish Network Against Racism, Belong To, Transgender Equality Network Ireland and Shout Out support some schools in education, training, and awareness-raising campaigns. For example: [www.yellowflag.ie](http://www.yellowflag.ie); [www.theredcard.org](http://www.theredcard.org); [www.belongto.org/standup](http://www.belongto.org/standup); [Visit Jigsaw.ie](http://Visit.Jigsaw.ie) | [The National Centre for Youth Mental Health](http://TheNationalCentreforYouthMentalHealth.org)



11. Furthermore, academic research and findings from national and other international expert bodies have identified the need for stronger intercultural and anti-racism education in Ireland, and for educational curricula and teacher training to focus more on the history and culture of ethnic minorities such as Travellers, Roma, and people of African descent, and on LGBTI equality and sex education, both for pupils and teachers who are often not prepared to or confident about dealing with these topics.<sup>16</sup> ECRI strongly encourages the authorities to ensure that human rights education is an integral part of the school curriculum and that it comprises mandatory topics to be covered by all schools, such as combating racism and intolerance, including against Travellers and Roma, people of African descent and LGBTI people.
12. Teachers of the CSPE Short Course are invited by Oide,<sup>17</sup> the support service for teachers and school leaders funded by the Department of Education, to attend a full day of professional learning each year during school hours.<sup>18</sup> Oide also provides continued professional development resources and training for teachers and school leaders on fostering an inclusive culture in schools<sup>19</sup> and on a variety of other issues, including how to respond to the needs of students learning English as an Additional Language (EAL) at both primary and post-primary level.<sup>20</sup>
13. ECRI acknowledges the considerable efforts put in place by Oide. At the same time, it was informed during the visit that there is always a strong demand from teachers for learning and training on topics of concern to ECRI, which is not fully and systematically met. ECRI encourages the authorities to further strengthen the initial and in-service training of primary and secondary school teachers on human rights issues, respect for diversity and the prevention of any form of racism and intolerance, in line with its GPR No. 10 on combating racism and racial discrimination in and through school education.
14. “Cineáltas: Action Plan on Bullying” is Ireland’s whole education approach to preventing and addressing bullying in schools. It was published in December 2022.<sup>21</sup> Its associated Implementation Plan 2023-2027 sets out how the Department of Education will deliver and implement each of the 61 actions contained in the Action Plan.<sup>22</sup> During the 2024 visit to Ireland, the ECRI delegation was informed that work is underway to implement these actions. ECRI encourages the authorities to allocate the necessary resources to ensure the effective implementation of Cineáltas, in consultation with pupils, teachers, and their representative organisations, as well as relevant civil society organisations.
15. While Cineáltas clearly states the need to collect disaggregated data on bullying in schools and to regularly record alleged incidents of bullying behaviour, ECRI regrets to note that a national database for this purpose has yet to be set up. In 2022, 28.6% of children aged 10-17 reported having been bullied at school in the

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<sup>16</sup> IHREC, [Ireland and the Rights of the Child](#), (2022), p. 73. Ní Dhuinn, M., & Keane, E. (2021). 'But you don't look Irish': identity constructions of minority ethnic students as 'non-Irish' and deficient learners at school in Ireland. *International Studies in Sociology of Education*, 32(4), 826–855: <https://doi.org/10.1080/09620214.2021.1927144>

<sup>17</sup> <https://oide.ie/>

<sup>18</sup> According to information received from the authorities, there were 512 participants in 2023/24. Since 2018 there have been 6 full day professional learning events in CSPE on content that changes every year, and the next is planned for spring 2025.

<sup>19</sup> According to information received from the authorities, in 2023/24 there were 108 participants from primary and 51 from post-primary sector. In 2024/25 there are 14 and 12 events planned over the year for primary and post-primary, respectively.

<sup>20</sup> In 2023/24 at primary level there were 29 full day in-person professional learning events attended by 612 teachers. There were also six online evening events attended by 258 teachers. At post-primary, there were 24 full day in-person professional learning events with 477 participants. An online webinar had 180 live participants, and a recording was made available online. Further in-person events are planned for 2024/25. In-school support was provided to 91 schools across primary and post-primary in 2023/24 and remains an option for schools to apply for in 2024/25.

<sup>21</sup> [gov.ie](https://gov.ie) - [Cineáltas: Action Plan on Bullying](#)

<sup>22</sup> [Cineáltas: Action Plan on Bullying Implementation Plan 2023-2027](#)

couple of months preceding the survey and available data suggests that migrant and Traveller children were more likely to experience bullying in schools.<sup>23</sup>

16. ECRI recommends that the authorities speed up the process of putting in place a national system of monitoring racist and LGBTI-phobic bullying and violence in schools and that they gather appropriately disaggregated data on such incidents, including on specific reasons for bullying behaviour.
17. The 2018 Education (Admissions to Schools) Act prohibits schools from using religion as a selection criterion in school admissions.<sup>24</sup> Historically, the great majority of public primary schools in Ireland have been run by the Catholic Church, with Catholic religion classes as part of the curriculum. With changing demographics and rising demand for multid denominational primary schools in Ireland,<sup>25</sup> transferring the patronage of formerly religious schools has now been considered as a viable option for providing a non-religious alternative.<sup>26</sup> The authorities also committed to the secularisation of schooling through the establishment of new multi-denominational schools.<sup>27</sup> Furthermore, the Department of Education has announced plans to survey parents nationally about schools' patronage and ethos.<sup>28</sup> In the view of ECRI, these are positive developments.
18. At the same time, it emerged from the findings of the 2024 visit to Ireland that religious discrimination in school admissions might still be happening in practice. Privately funded primary and secondary schools promoting religious values can give preferential treatment to pupils of a particular religion. Publicly funded schools promoting religious values can also refuse to admit pupils if it is considered essential to maintain the ethos of the school. The ethos of schools can also impact the delivery of Relationship and Sexuality Education (RSE).<sup>29</sup> The case of a Christian evangelist teacher, who refused to use a transgender student's pronouns and name, contrary to the school's policy, claiming that this violates his religious rights,<sup>30</sup> further illustrates challenges that may arise between religious beliefs and inclusive education practices. ECRI welcomes the school's prompt and firm reaction to the incident.<sup>31</sup>
19. Civil society actors met by the ECRI delegation during the 2024 visit also raised concerns about the potential gap between what is published as a school's admissions policy and their practice of admitting pupils, spotlighting the oversupply of religiously managed primary schools in the country (95%, of which 90% are Roman Catholic).<sup>32</sup>

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<sup>23</sup> Department of Children, Equality, Disability, Integration and Youth, State of the Nation's Children 2024 Full Report: <https://www.gov.ie/en/publication/48d829-state-of-the-nations-children/> (2024), p. 55.

<sup>24</sup> [gov.ie - Minister for Education and Skills commences sections of the Education \(Admission to Schools\) Act, 2018 in respect of school admission](https://www.gov.ie/en/minister-for-education-and-skills-commences-sections-of-the-education-admission-to-schools-act-2018-in-respect-of-school-admission/)

<sup>25</sup> ['Strong' support for multid denominational primary schools at a time when 90% are under religious control – The Irish Times](https://www.irishtimes.com/news/education/strong-support-for-multidenominational-primary-schools-at-a-time-when-90-are-under-religious-control-2024-01-15/)

<sup>26</sup> For example, St Mary's in Dublin 7 is the first Catholic school to transfer to Educate Together patronage: [Catholic primary school in Dublin switches to multid denominational patronage – The Irish Times](https://www.irishtimes.com/news/education/catholic-primary-school-in-dublin-switches-to-multidenominational-patronage-2024-01-15/)

<sup>27</sup> "Achieve the target of at least 400 multid denominational primary schools by 2030": [Programme for Government: Our Shared Future](https://www.gov.ie/en/programme-for-government-our-shared-future/) (2020), p. 96.

<sup>28</sup> [New efforts to encourage multi-denominational patronage; Parents to be surveyed on school ethos, gender mix and education through Irish or English – The Irish Times](https://www.irishtimes.com/news/education/new-efforts-to-encourage-multi-denominational-patronage-parents-to-be-surveyed-on-school-ethos-gender-mix-and-education-through-irish-or-english-2024-01-15/)

<sup>29</sup> IHREC, [Submission to the Human Rights Committee on Ireland's fifth periodic report](https://www.ihrec.org/en/submission-to-the-human-rights-committee-on-ireland-s-fifth-periodic-report-2022/) (2022), p. 78; IHREC, [Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report](https://www.ihrec.org/en/submission-to-the-committee-on-economic-social-and-cultural-rights-on-ireland-s-fourth-periodic-report-2024/) (2024), p. 149.

<sup>30</sup> [Irish Teacher Enoch Burke Jailed Amid Transgender Pronoun Dispute—Timeline - Newsweek](https://www.irishtimes.com/news/education/irish-teacher-enoch-burke-jailed-amid-transgender-pronoun-dispute-timeline-2024-01-15/); [Enoch Burke: Irish teacher in transgender row jailed for third time | World News | Sky News](https://www.sky.com/news/world-news/enoch-burke-claims-teachers-are-being-told-to-bow-down-over-pronouns-2024-01-15/); [Enoch Burke claims teachers are being told to 'bow down' over pronouns – The Irish Times](https://www.irishtimes.com/news/education/enoch-burke-claims-teachers-are-being-told-to-bow-down-over-pronouns-2024-01-15/)

<sup>31</sup> [Enoch Burke: Irish High Court rules school correct to suspend teacher](https://www.irishtimes.com/news/education/enoch-burke-irish-high-court-rules-school-correct-to-suspend-teacher-2024-01-15/)

<sup>32</sup> Several other issues were raised by the United Nations Committee on the Rights of the Child about the need to secure equal access to education for Roma and Traveller children and asylum-seeking, refugee and migrant children. See Committee on the

20. ECRI recommends that the authorities: i) review existing legislation to ensure that the exemption for refusal of admission on the basis of religion does not adversely impact access to education; ii) provide greater clarity as to the definition of “ethos” and what is required in order to establish that a refusal was essential to maintain the ethos of the school, ensuring it does not constitute discrimination on the ground of religion; iii) ensure evidence-based planning and implementation of measures to ensure the scientific neutrality essential in any educational approach.

21. Several interlocutors met by the ECRI delegation during the visit raised concerns about the lack of diversity within the teaching profession and barriers faced by teachers from migrant, Traveller, and ethnic minority backgrounds in accessing registration and employment in Ireland.<sup>33</sup> ECRI encourages the authorities to commission a comprehensive study on these matters and take any necessary action in the light of this research in order to increase diversity within the teaching profession.

### **C. Irregularly present migrants**

22. The authorities could not provide ECRI with official data on migrants who are irregularly present in Ireland – understood as foreign nationals present in Ireland who do not, or no longer, fulfil the conditions under national law for entry or stay in the country.

23. The Migrant Rights Centre Ireland (MRCI) estimated in 2020 that there were 17 000 – 20 000 undocumented persons in the country. The most up-to-date report on irregularly present migrants in Ireland is from the Economic and Social Research Institute (ESRI) and was published in May 2022, highlighting several challenges with reference to labour exploitation, and in the field of housing, health and education.<sup>34</sup>

24. The authorities confirmed the absence of any formally established “firewalls” aimed at separating the verification of residence status (or lack thereof) from the provision of key services. However, they provided practical examples of the provision of healthcare to irregularly present migrants.<sup>35</sup>

25. In the light of ECRI’s General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination, ECRI recommends that the authorities review the existing legal framework and practices with a view to ensuring that irregularly present migrants have access to basic services, in particular education and emergency and other necessary health care, and that “firewalls” are clearly and formally prohibiting the relevant services, notably in the areas of education, housing, employment, healthcare, social assistance and justice, from sharing data on the legal status of migrants with the immigration authorities for purposes of immigration control and enforcement.

26. On a positive note, ECRI learned about the Undocumented Migrant Scheme launched by the Minister of Justice and open for applications for six months in 2022.<sup>36</sup> Under this Scheme, undocumented migrants and their dependents, who

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Rights of the Child, Concluding observations on the combined fifth and sixth periodic reports of Ireland, [tinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FIRL%2FCO%2F5-6&Lang=en](https://tinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FIRL%2FCO%2F5-6&Lang=en) (2023), para. 37. Reference is also made to part III of the present report.

<sup>33</sup> Mc Daid, R., & Nowlan, E. (2022). Barriers to recognition for migrant teachers in Ireland. *European Educational Research Journal*, 21(2), 247-264. <https://doi.org/10.1177/14749041211031724>. Keane, E., Heinz, M., & Mc Daid, R. (Eds.). (2022). *Diversifying the Teaching Profession: Dimensions, Dilemmas and Directions for the Future* (1st ed.). Routledge. <https://doi.org/10.4324/9781003188735>

<sup>34</sup> ESRI, Responses to irregularly staying migrants in Ireland, <https://www.esri.ie/system/files/publications/RS140.pdf> (2022).

<sup>35</sup> For instance, a number of homeless services that could be used by migrants would provide access to nursing, medical, and dental services. In addition, there are a number of clinics funded by Health Service Executive (HSE) Social Inclusion where people without status could access medical care (e.g. Summerhill Primary Care Centre, Safetynet Eccles Street, Rialto Primary Care Centre, Capuchin Clinic).

<sup>36</sup> [gov.ie - Minister McEntee announces new landmark scheme to regularise long-term undocumented migrants](https://www.gov.ie/en/minister-mcentee-announces-new-landmark-scheme-to-regularise-long-term-undocumented-migrants/)

fulfilled specified criteria, were able to apply to remain in the country and have their residency status regularised. Over 8 000 people submitted applications during this time. ECRI considers such an initiative as a **good practice**.

#### **D. LGBTI equality<sup>37</sup>**

27. Although data on sexual orientation and gender identity was not collected in the last census, research indicates that 10% of youth aged 17-18 years in Ireland identify as LGBTI+.<sup>38</sup> ECRI was informed by the authorities that the Central Statistics Office has already piloted specific questions about sexual orientation and gender identity in 2024, with a view to subsequently including such questions in the 2027 Census. While this is a welcome commitment, ECRI encourages the authorities, as in its previous report,<sup>39</sup> to conduct systematic data collection and research to capture the size, needs and experiences of the LGBTI population, and to support effective policy and legislative development, implementation and review.
28. On the 2024 Rainbow Map and Index for Europe, Ireland ranks 14th out of 49 European countries with an overall score of 57.17%, marking an improvement from 53.67% in 2023. However, Ireland continues to perform low across key policy and legislative domains such as equality and non-discrimination (37.96%).<sup>40</sup> Furthermore, according to a 2023 survey, only 40% of respondents felt that the Irish government effectively combats prejudice and intolerance against LGBTI+ people.<sup>41</sup>
29. Following the introduction of the first National LGBTI+ Youth Strategy 2018-2020, Ireland published its first National LGBTI+ Inclusion Strategy 2019-2021. Due to Covid-19, the lifespan was extended from 2021 to 2023. An independent review of the Strategy, with a robust public consultation, was completed to inform the development of a successor strategy.<sup>42</sup> ECRI trusts that the authorities will ensure that the views and lived experiences shared by LGBTI persons and organisations effectively inform and contribute to policy and legislative development and implementation.
30. As outlined by the NGO LGBT Ireland in its 2024 review of the impact of the former Strategy, renewed efforts are urgently needed to strengthen and protect LGBTI+ equality in a range of areas, including access to health care, gender recognition, and the right to participate in public life. The report concludes with 10 recommendations and highlights that the next Strategy should focus in particular on intersectional issues and the needs of trans, non-binary and intersex people.<sup>43</sup>
31. In the context of its 2024 visit to Ireland, ECRI was informed that a draft National LGBTQI+ Inclusion Strategy 2024-2028 had been sent to the Cabinet of the Irish government for approval, and that a longer process of engagement would be undertaken around the action plan that is to follow. There is a funding stream linked to the Strategy with a budget of €1.4 million for 2025 focused on supporting LGBTQI+ services. The implementation of the Strategy is to be monitored by an oversight committee, which is made up of civil servants and representatives of civil society organisations, and chaired by the Minister for Children, Disability and Equality. ECRI welcomes such a development. At the same time, it considers it vital for the authorities to complete the work on the Strategy and action plan, secure

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<sup>37</sup> For terminology, see the definitions set out in ECRI's [glossary](#).

<sup>38</sup> Ceatha, N., Gates, G.J. & Crowley, D. LGBT+ Self-Identification Among Youth in Ireland Aged 17-18 Years: A Research Brief. *Popul Res Policy Rev* 42, 64 (2023). <https://doi.org/10.1007/s11113-023-09807-w>

<sup>39</sup> ECRI fifth-cycle report on Ireland, §119.

<sup>40</sup> [Ireland - Rainbow Map](#)

<sup>41</sup> FRA, [EU LGBTIQ survey III: Country Data - Ireland](#) (2024), p. 2.

<sup>42</sup> [gov.ie - Consultations for the National LGBTI+ Inclusion Strategy](#)

<sup>43</sup> LGBT Ireland, [Progress Made, Renewed Efforts Required: A Shadow Report of Ireland's First National LGBTI+ Inclusion Strategy](#) (2024), p. 98.

sustainable funding for its implementation and set up a suitable monitoring and evaluation mechanism.

32. ECRI recommends that the authorities: i) finalise and make publicly available the National LGBTQI+ Inclusion Strategy 2024-2028 and its action plan; ii) ensure that the provision of yearly funding for its implementation is accompanied by multi-annual budgetary planning and adequate allocation of human and financial resources; iii) establish an effective monitoring and evaluation mechanism with specific responsible sub-groups dedicated to each strategic theme of the Strategy.
33. Recent research highlights a stark decline in the mental health of LGBTI+ people, with results indicating a 17% increase in symptoms of severe depression, 30% of severe anxiety, and 33% of stress compared to 2016.<sup>44</sup> Reportedly, mental health issues are even greater amongst specific cohorts, including younger people, transgender, and gender non-conforming people.<sup>45</sup> Poor mental health experiences are further exacerbated by longstanding issues in the availability and accessibility of quality mental health services, including long waiting times and the prohibitive costs of private care.<sup>46</sup>
34. Representatives of LGBTI organisations met by the ECRI delegation during the visit also raised concerns about the intersectional inequalities experienced within ethnic minority communities. According to a 2022 report, LGBTI+ Traveller and Roma experience serious mental health issues and are disproportionately affected by homelessness, with over 82% of respondents having experienced depression, and 60% having experienced suicidal thoughts.<sup>47</sup> ECRI strongly encourages the authorities to include priority and intersectional targets and indicators on improving the mental health of LGBTI people, across all relevant national equality and health strategies, accompanied by regular evaluation of their implementation and adequate investment in specifically tailored, accessible, affordable, and quality community mental health services.
35. In February 2023, Trinity College Dublin published a report commissioned by the government indicating that so-called conversion practices take place in Ireland.<sup>48</sup> According to a 2023 survey, 26% of respondents were subject to a practice aimed at “changing” their sexual orientation and/or gender identity.<sup>49</sup> In June 2023, the government committed to banning these practices.<sup>50</sup> To date, legislation has not been published and such practices are still not prohibited. ECRI encourages the authorities, in the light of ECRI’s GPR No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards, to develop a comprehensive legislation prohibiting practices that aim to convert or change the sexual orientation and/or gender identity of children, as well as on any such practices targeting adults against their will.
36. In January 2023, the United Nations Human Rights Committee expressed concern that irreversible and invasive medical interventions continue to be performed on intersex children in Ireland, noting that such actions are often based on a stereotyped vision of gender roles and carried out before children are of an age to

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<sup>44</sup> Trinity College Dublin and Belong To, [Being LGBTQI+ in Ireland 2024: the National Study on the Mental Health and Wellbeing of the LGBTQI+ Communities in Ireland](#) (2024), p. 7. [New research report highlights stark deterioration in mental health of LGBTQI+ people since 2016](#)

<sup>45</sup> 72% of respondents aged 14-18 and 75% of transgender and gender non-conforming people reported having self-harmed.

<sup>46</sup> 60% of respondents had sought professional help in the last 5 years, with many noting barriers to accessing the requisite supports.

<sup>47</sup> National Action Group for LGBTI+ Traveller and Roma Rights, [Unveiling Inequality - Experiences of LGBTI+ Travellers & Roma](#) (2022), p. 45.

<sup>48</sup> [Study explores conversion therapy practices in Ireland - News & Events | Trinity College Dublin](#)

<sup>49</sup> FRA, [EU LGBTIQ survey III: Country Data - Ireland](#) (2024), p. 2.

<sup>50</sup> [Ban on conversion practices to be brought forward this year | Irish Legal News](#). See also, in this connection, [Nothing to cure: putting an end to so-called “conversion therapies” for LGBTI people - Commissioner for Human Rights](#).

allow them to give their free and informed consent.<sup>51</sup> During its visit to Ireland, the ECRI delegation learned that no progress was made on banning medically unnecessary and non-consensual surgeries performed on intersex children, and that healthcare professionals often lack adequate knowledge and expertise to address the needs of intersex persons.

37. ECRI recommends that the authorities: i) prepare and bring to parliament a comprehensive bill that expressly acknowledges the right of intersex persons to bodily integrity and prohibit the performance of medically unnecessary surgeries (often referred to as “sex-normalising” surgery) and other non-therapeutic treatments until such time as the intersex child is able to participate in the decision, based on the principle of free and informed consent; ii) ensure that appropriate protocols of care for intersex persons are developed; iii) provide intersex equality training for health professionals; iv) establish easily accessible counselling and support services for intersex people and their families.
38. While the authorities informed ECRI that a new programme for gender healthcare services has been initiated by the Health Service Executive (HSE) with the objective of developing an updated clinical model, LGBTI organisations complained about the lack of consultation in this process and reiterated concerns about long waiting lists for gender-affirming care for adults<sup>52</sup> and the total absence of services for children and young people since direct referrals to an English service provider halted in 2022.<sup>53</sup>
39. With regard to gender recognition, LGBTI organisations highlighted the government’s failure to progress on its commitment<sup>54</sup> to introduce legislation to allow for a self-declaration model for children aged 16 and 17, resulting in the low numbers of gender recognition certificates granted,<sup>55</sup> and on extending gender recognition arrangements to children under 16 years of age.<sup>56</sup> Against this background, ECRI trusts that the authorities will undertake every effort to make progress in the fulfilment of the government’s commitment on this matter and refers to the relevant recommendations made by the United Nations Committee on the Rights of the Child in 2023.<sup>57</sup>

## II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE

### A. Hate speech<sup>58</sup>

40. The Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022 originally covered communicating or behaving in a way likely to incite violence

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<sup>51</sup> Human Rights Committee, Concluding observations on the fifth periodic report of Ireland, [CCPR/C/IRL/CO/5](#) (2023), para. 19.

<sup>52</sup> As of May 2024, the waiting list for an initial appointment following referral was three and a half years: [Waiting Times](#)

<sup>53</sup> While the HSE had a referral pathway to the Tavistock Clinic in London, the clinic stopped accepting direct referrals in November 2022 and has since closed as of March 2024, resulting in the collapse of gender-affirming healthcare services for children and young people: HSE, [Review of the implications of the Cass Report for the provision of Gender Identity Services for children and young people in Ireland](#) (2023), pp. 8-9; [Belong To, Leading Youth work organisations & youth workers call for action on healthcare crisis for trans and non-binary young people](#) (2022); Ombudsman for Children’s Office, [Healthcare supports for transgender children: A children’s rights perspective from the Ombudsman for Children’s Office](#) (2023).

<sup>54</sup> [Programme for Government: Our Shared Future](#) (2020), p. 77.

<sup>55</sup> Due to the absence of data, the number of transgender children in Ireland remains unclear. According to the Department of Social Protection, 18 people aged 16 and 17 have been granted a Gender Recognition Certificate since 2015, compared with 1 185 people aged 18 and older: [Annual Report for 2022 under section 6 of the Gender Recognition Act 2015](#)

<sup>56</sup> The government has committed to undertaking research to examine the issues relating to gender recognition for children aged under 16 years. While the research contract was initially awarded in September 2022, ECRI is not aware of any clear timeline for publication or finalisation: [Gender Recognition Dáil Éireann Debate, Tuesday - 28 November 2023](#)

<sup>57</sup> UN Committee on the Rights of the Child, [Concluding observations on the combined fifth and sixth periodic reports of Ireland](#) (2023), para. 20.

<sup>58</sup> See definitions of hate speech and hate crime in [ECRI’s Glossary](#).

or hatred against a person or persons because they are associated with a protected characteristic,<sup>59</sup> but these provisions were then removed from the text.<sup>60</sup>

41. While ECRI welcomes that the Criminal Justice (Hate Offences) Act 2024 has now been signed into law, providing for increased sanctions for certain crimes where proven to be motivated by hatred, or where hatred is demonstrated, it regrets to note that parts of the bill dealing with incitement to violence or hatred were removed during the legislative process, therefore missing the opportunity to enable law enforcement agencies and prosecution services to tackle more effectively such forms of hate speech, which remains under the Prohibition of Incitement to Hatred Act 1989.<sup>61</sup> ECRI had already noted that this Act (the 1989 Act) has extremely limited application and is particularly ineffectual in combating online hate speech.<sup>62</sup> Furthermore, on 3 October 2024, the European Union Commission issued an infringement decision on Ireland considering that it has not fully transposed the provisions related to incitement to hatred or violence.<sup>63</sup>
42. ECRI recommends, as a matter of priority, that the authorities take steps towards the adoption by parliament of legislative measures aimed at specifying and clearly defining in criminal law expressions of hate speech that are subject to criminal liability, in particular incitement to hatred, violence or discrimination and at ensuring that such expressions of hate speech are punishable by effective, proportionate and dissuasive sanctions, in the light of ECRI's General Policy Recommendation No. 15 on combating hate speech and other relevant general policy recommendations, the Council of Europe Committee of Ministers' Recommendations CM/Rec(2022)16 on combating hate speech and CM/Rec(2024)4 on combating hate crime, as well as other relevant European and international standards.
43. According to the Irish Network Against Racism (INAR), there were 600 reported incidents of racism in 2022, of which 136 concerned racist hate speech. They span across news media, online platforms, and politics. Most discriminatory content was motivated by anti-migrant, anti-Black/African, anti-refugee/asylum-seeker sentiments.<sup>64</sup> A 2024 research has also shown that harassment and anti-LGBTQI+ hate speech is still a reality in Ireland, with a notable deterioration in attitudes towards transgender and intersex communities and many LGBTQI+ people feeling unsafe to express their sexual orientation or gender identity in public. The expansion of online forums appears to be exacerbating the problem, with 23% reporting experiencing anti-LGBTQI+ hate speech either online or in public media within the last year.<sup>65</sup>
44. In January 2025, Ireland adopted the working definition of antisemitism of the International Holocaust Remembrance Alliance (IHRA)<sup>66</sup> and, during its 2024 visit to the country, the ECRI delegation was informed that the Jewish community had

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<sup>59</sup> The whole history of the Criminal Justice (Hate Offences) Act 2024 - previously known as Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022 - is available [here](#).

<sup>60</sup> [Helen McEntee: Irish minister drops plans for hate speech laws; Plan to introduce hate speech laws has been dropped. Minister for Justice confirms – The Irish Times](#); [The Irish Times view on the hate crime Bill: a salutary lesson – The Irish Times](#)

<sup>61</sup> [Prohibition of Incitement to Racial Religious or National Hatred Act , 1989 – No. 19 of 1989 – Houses of the Oireachtas](#)

<sup>62</sup> ECRI fifth-cycle report on Ireland, §34.

<sup>63</sup> European Commission, [October infringements package: key decisions](#) (2024).

<sup>64</sup> INAR, 2022 Reports of racism in Ireland, <https://inar.ie/wp-content/uploads/2023/03/Reports-of-Racism-in-Ireland-2022.pdf> (2022), p. 7.

<sup>65</sup> Belong To, [New research report highlights stark deterioration in mental health of LGBTQI+ people since 2016](#) (2024).

<sup>66</sup> [gov.ie - Tánaiste announces endorsement of Global Guidelines for Countering Antisemitism and the IHRA Working Definition of Antisemitism](#) and [IHRA working definition of antisemitism adopted by government | Irish Legal News](#).

received a grant from the government to become a trusted flagger of antisemitism and other forms of racism.<sup>67</sup>

45. ECRI also recorded that Coimisiún na Meán (the Media Commission), as an independent regulator, may invite NGOs to apply to become a trusted flagger, but without providing any funding, nor financial support for applications.<sup>68</sup>
46. The discourse on the legislative proposals on incitement to violence or hatred has triggered debate about the rights to free speech and freedom of expression, and divisive public and political commentary.<sup>69</sup> There are also recent documented examples of politicians' reactions to events in local communities resulting in ill-informed responses, fuelling hate speech and escalating tensions further.<sup>70</sup> As highlighted by the Coalition Against Hate Crime,<sup>71</sup> which ECRI considers as a **good practice** in terms of joint civil society effort, increased leadership is required from public and political representatives to condemn hate speech in all its forms. ECRI also takes note that one Irish political party has signed the Charter of European political parties for a non-racist and inclusive society, as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).<sup>72</sup>
47. ECRI recommends that the authorities step up their efforts to encourage public figures, such as high-level officials, politicians and religious, economic and community leaders, to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech, react promptly to any such expression with strong counter-speech and alternative speech, and express solidarity with those targeted by hate speech. In this context, the authorities should draw on the Council of Europe Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech and all political parties should be encouraged to sign to the Charter of European political parties for a non-racist and inclusive society, as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).
48. In December 2022, the Online Safety and Media Regulation Act 2022 (OSMR Act) was enacted.<sup>73</sup> Upon its entry into force in March 2023, the legislation established a new, independent online safety and media regulator, known as Coimisiún na Meán (Media Commission), a component of which is the Online Safety Commissioner.<sup>74</sup> Under the legislation, An Coimisiún is responsible for the application and enforcement of a new regulatory framework for online safety.
49. In October 2024, Coimisiún na Meán published the finalised Online Safety Code,<sup>75</sup> introducing obligations on video-sharing platforms under Irish jurisdiction, including prohibiting the uploading or sharing of harmful content on their services, such as cyberbullying, incitement to hatred or violence, racism, and xenophobia. Coimisiún na Meán has a supervisory approach to enforcing the Code, ensuring that platforms implement appropriate systems to comply with its provisions.

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<sup>67</sup> [Minister Joe O'Brien announces 28 projects to be funded under the Ireland Against Racism Fund 2024](#)

<sup>68</sup> Coimisiún na Meán, [Coimisiún na Meán outlines how interested entities can apply for Trusted Flagger status - Coimisiún na Meán](#) (2024).

<sup>69</sup> For example: [Hate speech bill is 'restrictive and undemocratic' warns barrister, as 7,000 people sign petition](#); [New hate speech laws kick up a storm in Ireland](#); [Elon Musk pledges to fund any Irish legal challenges to hate speech legislation: Bring hate speech legislation 'back to the drawing board,' says former minister for justice Charlie Flanagan](#); [Government's Hate Speech legislation must be scrapped – Pa Daly TD](#)

<sup>70</sup> Hope and Courage Collective, [Current far-right tactics](#) (2024). Hope and Courage Collective, [Greater Than Fear: A community based response to tackling hate and extremism](#) (2023).

<sup>71</sup> [The Coalition Against Hate Crime - Irish Council for Civil Liberties](#)

<sup>72</sup> [Signatories to the Charter of European political parties for a non-racist and inclusive society.](#)

<sup>73</sup> [Online Safety and Media Regulation Act 2022](#)

<sup>74</sup> [Coimisiún na Meán | Ireland's media regulator: gov.ie - New media regulator, Coimisiún na Meán, formally established](#)

<sup>75</sup> Coimisiún na Meán, [Online Safety Code](#) (2024); [Coimisiún na Meán to notify Online Safety Code to European Commission](#)



50. During the Dublin riots of November 2023 (following the stabbing of children and a care worker outside a primary school on Parnell Square), prominent agitators spread false content and posted videos on a variety of digital platforms, which reached large numbers and functioned as a call-to-action for supporters.<sup>76</sup> Online mis- and disinformation has steadily increased in recent years.<sup>77</sup> Public and private sector regulation of election-related misinformation, disinformation and conspiracy is also critical to limit the spread of hateful ideas. For example, during local elections in June 2024, several candidates, particularly non-white, and their families were subject to online and offline abuse, hate and misinformation campaigns.<sup>78</sup> On a positive note, ECRI welcomes that Coimisiún na Meán published a series of Information Packs in 2024 for all election candidates running in Ireland's local, European, General and Seanad elections, offering guidance for candidates on what to do when they are faced with harmful and/or illegal content or behaviour online, including hate speech.<sup>79</sup>
51. ECRI encourages the authorities to develop and implement further action to prevent and combat online hate speech, including the spread of hate and intolerance in election campaigns, in close collaboration with Coimisiún na Meán, the Online Safety Commissioner, the IHREC, and relevant civil society organisations. If necessary, Council of Europe support should be sought.

## **B. Hate-motivated violence**

52. An Garda Síochána, Ireland's National Police, introduced working definitions for hate crime and hate incidents in 2020 and updated the recording method in its PULSE system. If an incident of hate speech reaches the criminal threshold of an existing criminal offence, it is recorded as a hate crime and investigated as such. If it does not reach a criminal threshold, it is recorded as a hate incident. PULSE now includes an H identifier for hate crimes/incidents and the mandatory selection of discriminatory motives for all incidents (both criminal and non-criminal).
53. Starting from 2022, An Garda Síochána began publishing hate crime data on an annual basis. In 2023, it recorded 548 hate crimes and 103 hate incidents, marking an increase compared to 2022 and 2021.<sup>80</sup> However, as noted by many interlocutors met by the ECRI delegation during its 2024 visit to Ireland, these incidents are still under-reported. Data from INAR about racist reports confirms that in 2022 most hate crimes and incidents were not reported to anyone except iReport.ie<sup>81</sup> and only 20% of crimes were reported to the Gardaí.<sup>82</sup> The main hate elements were "race", nationality, and sexual orientation.
54. Ireland also regularly submits hate crime data to the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Cooperation in Europe (OSCE) which, however, lacks statistics on the number of

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<sup>76</sup> Hope and Courage Collective, [Timeline and Brief Analysis of Dublin Riot](#) (2023).

<sup>77</sup> Gallagher, A., O'Connor C., & Visser, F., [Uisce Faoi Thalamh: An Investigation Into the Online Mis- and Disinformation Ecosystem in Ireland](#) (2023).

<sup>78</sup> European Commission, [Ireland: Experiences of candidates with migrant background in local elections | European Website on Integration](#) (2024); [How Ireland's non-white election candidates are targeted with misinformation and racist abuse](#)

<sup>79</sup> [Coimisiún na Meán publishes Information Pack for all election candidates - Coimisiún na Meán](#). In addition, although not referring directly to hate speech, Coimisiún na Meán issued guidelines in respect of coverage of elections, which encourage broadcasters to include a range of voices and opinions in their coverage, notably a mix of views representing cultural diversity: [Guidelines in Respect of Coverage of Elections](#)

<sup>80</sup> [Hate Crime Statistics - Garda](#)

<sup>81</sup> [About iReport - iReport](#)

<sup>82</sup> INAR, 2022 Reports of racism in Ireland, <https://inar.ie/wp-content/uploads/2023/03/Reports-of-Racism-in-Ireland-2022.pdf> (2022), p. 7.

prosecuted or sentenced hate crimes as there is currently no monitoring within the whole criminal justice system.<sup>83</sup>

55. While ECRI acknowledges the efforts made to record hate crimes, it nonetheless reiterates its view that the availability of disaggregated data should be improved and systematic recording at all stages of investigation, prosecution, conviction and sentencing should be ensured.<sup>84</sup> Civil society actors also reported that the available data does not allow to discern the level, severity, or location of hate crimes against specific protected characteristics.
56. ECRI recommends that the authorities set up a comprehensive data collection system offering an integrated and consistent view of cases of racist and LGBTI-phobic hate speech and hate crime, with appropriately disaggregated data by category of offence, type of hate motivation, target group, as well as judicial follow-up and outcome, and ensure that this data is made available to the public.
57. The authorities informed ECRI about a number of initiatives to support victims of crime, including the publication of a new version of the Victims Charter and an improved website,<sup>85</sup> the establishment of a Victims Forum that brings together civil society and state organisations, the production of information videos and campaigns.<sup>86</sup> ECRI also praises An Garda Síochána for developing a “Third-Party Referrals” process on behalf of hate crime victims<sup>87</sup> and for establishing a non-emergency online hate crime reporting mechanism which can be accessed via a dedicated website,<sup>88</sup> in line with ECRI’s previous recommendation.<sup>89</sup>
58. An Garda Síochána have dedicated Victim Support Offices in every Garda Division. Incidents of hate speech that reach the threshold of an existing criminal offence result in the support of the victim in accordance with the relevant policy.<sup>90</sup> However, ECRI was informed that victims of hate incidents which do not meet the threshold of a crime, or victims of crime whose victimisation is not acknowledged by the system - either as a consequence of the victim not reporting or the police not recording the crime - are not entitled to support under the Criminal Justice (Victims of Crime) Act 2017. ECRI encourages the authorities to look into this matter and address any potential gaps to ensure targeted, specialised support, assistance and protection to victims of hate crime whether or not they engage with the criminal justice system, in the light of the Council of Europe Committee of Ministers’ Recommendation CM/Rec(2024)4 on combating hate crime.
59. The Garda National Diversity Unit (GNDU)<sup>91</sup> aims at ensuring a responsive and equal policing service is provided to minority and diverse communities. The GNDU has a national responsibility on all diversity issues when it comes to law enforcement, including the National Hate Crime Portfolio. It also trains, develops, and supports a network of Garda Diversity Officers (GDOs) to actively engage with and attend to the concerns of minority, diverse and hard to reach communities, extending service accessibility and working in collaboration with local Garda Victim Service Offices to prioritise victims’ needs. As of November 2023, the GDO

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<sup>83</sup> OSCE/ODIHR, Hate Crime Report, [Ireland | HCRW](#) (2023).

<sup>84</sup> ECRI fifth-cycle report on Ireland, §26.

<sup>85</sup> [Victims Charter](#)

<sup>86</sup> For example, the “Victims of Crime - Know Your Rights” campaign in 2023 rolled out a major awareness raising campaign using a high impact media strategy to reach both a national audience and people within marginalised communities throughout Ireland.

<sup>87</sup> The third-party referrer may be an NGO, CSO or Diversity Community Representative.

<sup>88</sup> [Hate Crime Online Reporting - Garda](#)

<sup>89</sup> ECRI fifth-cycle report on Ireland, §46.

<sup>90</sup> <https://www.garda.ie/en/victim-services/garda-victim-service/>

<sup>91</sup> <https://www.garda.ie/garda/en/crime-prevention/community-engagement/community-engagement-offices/garda-national-diversity-unit/garda-national-diversity-unit.html>

Network consists of 586 GDOs nationally.<sup>92</sup> In the view of ECRI, this can be considered as a **good practice**.

60. ECRI was informed that, in 2022, An Garda Síochána delivered a mandatory Online Hate Crime Training Course to the entire organisation.<sup>93</sup> The GNDU also delivers regular training seminars to new and existing GDOs around the country, reaching every Garda Division in 2022/2023. Seminars include content on hate crime developments and contributions from civil society organisations and community representatives, ensuring their views and needs are communicated effectively.
61. The authorities informed ECRI that in order to increase diversity in the police, An Garda Síochána promoted recruitment campaigns to encourage applicants from minority backgrounds and in 2021 launched the Diversity Internship Programme for school-leavers and graduates, particularly from groups typically underrepresented in the organisation. While this resulted in more applications from ethnic minorities, it is unclear how many of these individuals were accepted.<sup>94</sup>
62. Research from the University of Limerick looking at the role that potential institutional racism plays in building barriers to accessing justice, especially for minority communities, raised concerns about the unclear criteria applied in establishing “good character” to be a member of An Garda Síochána, highlighting that Travellers’ applications may be deemed ineligible based on their exposure to over-policing, credit history or family members’ criminal history. The majority of respondents in this research were also of the view that if a Traveller joined the ranks of the criminal justice professions, they would not be treated well by their colleagues and they would tend to mask or hide their identity in order to be accepted in the organisation.<sup>95</sup>
63. ECRI recommends that the authorities: i) seek to recruit more officers with a minority or immigrant background and make data on the recruitment, hiring and promotion of underrepresented groups publicly available; and ii) further develop trainings for all police officers on how to deal with groups of concern to ECRI.

### III. INTEGRATION AND INCLUSION

#### A. Migrants

64. According to the results of the last census held in 2022, just over 89 500 people immigrated to Ireland, which marked a 9% increase compared to Census 2016. Approximately one in four immigrants were Irish citizens and three in four were citizens of countries other than Ireland. Among the non-Irish citizens, nearly 10 000 came from India and almost 5 200 from Brazil. Of the top 10 countries from which people moved to Ireland, five were EU member states – Spain, Romania, France, Italy, and Poland. There were 4 247 non-Irish citizens residing in the country who were living in Ukraine in the year prior to Census 2022, reflecting the impact of Russia’s war of aggression against Ukraine. This number may appear lower than

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<sup>92</sup> This list is publicly available and updated regularly: <https://www.garda.ie/WTJXG2> (2023).

<sup>93</sup> Designed in conjunction with international experts and with the assistance of INAR (Irish Network Against Racism), this training addressed: Hate Crime concept and its impact; new policy and procedures for responding to Hate Crime and Non-Crime Hate Incidents; key targeted groups and communities; bias indicators to identify and record evidence of bias/hostility/prejudice, according to the Hate Crime definition and policy; identifying potential victims, encouraging Hate Crime reporting utilising video interviews with people with experience of Hate Crime victimisation and examples of good practice; partnership working with Civil Society Organisations using filmed interviews with leading national CSOs/NGOs; prosecuting cases of Hate Crime using case studies.

<sup>94</sup> Research by the Central Statistics Office published in 2023 compared diversity within An Garda Síochána to the general Irish population and found that 98% of employees were white Irish, 98% were Irish nationals, 89% were Roman Catholic, and 64% were male. In contrast, the most recent Census results (2022) found that 77% of the general population identified as white Irish, 84% identified as Irish nationals, 69% identified as Roman Catholic, and 49% were male. This demonstrates that significant work remains to make An Garda Síochána representative of Irish society: [Diversity in An Garda Síochána 2023 - Central Statistics Office](#) (2023).

<sup>95</sup> University of Limerick, [Irish Travellers’ Access to Justice](#) (2023); [Gardaí have negative view of Travellers, survey finds – The Irish Times](#)

expected. There were, in fact, 18 566 people who indicated that their country of citizenship was Ukraine, but many did not identify as usual residents of Ireland and were thus not included.<sup>96</sup>

65. The number of asylum seekers in Ireland has increased significantly in recent years. In 2022, a record number of 13 651 people applied for asylum, marking a 415% increase from 2021 (2 648) and a 186% rise compared to pre-Covid numbers in 2019 (4 781).<sup>97</sup> As of July 2024, the International Protection Office (IPO) had 23 360 pending applications. The recent rise in asylum applications, coupled with staffing problems, has contributed to this backlog.<sup>98</sup>
66. The increase in the number of beneficiaries of international protection and migrants arriving in Ireland further exacerbated already existing systemic challenges and generated public tensions. For example, in November 2023, anti-immigration rioting broke out in Dublin, causing significant infrastructural damage and provoking fear and distress for targeted communities. This has also been followed by escalating violence across Ireland, including 14 arson attacks on proposed international and temporary protection accommodation.<sup>99</sup> The Council of Europe Commissioner for Human Rights, who visited Ireland in October 2024, also expressed concern over growing hostility towards asylum seekers and the fact that single men seeking asylum often ended up sleeping rough.<sup>100</sup> In the interest of protecting the residents of accommodation centres, the passing of the Protection of Private Residences (Against Targeted Picketing) Bill 2021 would be of help.<sup>101</sup> If passed into law, it will create a new offence for organising or engaging in targeted protests within 200 metres of a residential dwelling. ECRI encourages the authorities to push this Bill forward and clarify that the definition of a dwelling also includes non-permanent emergency accommodation facilities.
67. In August 2024, the High Court held that the Irish government had failed in its duty to provide for the basic needs, including accommodation, of asylum seekers. This is the first case in which the IHREC has used its legal power to initiate legal proceedings in its own name. In November 2024, the government has lodged an appeal against the High Court judgment.<sup>102</sup>
68. ECRI repeatedly raised concerns about the accommodation of International Protection Applicants (IPAs) in Direct Provision centres.<sup>103</sup> However, despite pledging to end Direct Provision by 2024,<sup>104</sup> the government has replaced this commitment with a new Comprehensive Accommodation Strategy for IPAs that forecasts continued reliance on emergency commercial providers.<sup>105</sup> There are thousands of IPAs waiting for an offer of accommodation and living in homelessness, and those granted accommodation still encounter difficulties in

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<sup>96</sup> Central Statistics Office, [Immigration Census of Population 2022 Profile 5 - Diversity, Migration, Ethnicity, Irish Travellers & Religion - Central Statistics Office](#) (2023).

<sup>97</sup> International Protection Office, Monthly Statistical Report December 2022, available [here](#).

<sup>98</sup> In January 2025 the median processing time for standard cases was 82 weeks: <https://www.gov.ie/pdf/?file=https://assets.gov.ie/281364/22c62824-9f61-457a-8bca-23e70693e75a.pdf#page=null>

<sup>99</sup> [Mapped: The fires linked to accommodation for migrants](#) and [Clout, kicks and clicks: Analysing the surge in anti-migrant harassment and violence in Ireland - ISD](#).

<sup>100</sup> [Ireland: the situation of Travellers, Roma and asylum seekers requires more attention - Commissioner for Human Rights; Human rights commissioner 'alarmed' over number of asylum seekers sleeping rough in Ireland](#)

<sup>101</sup> [Protection of Private Residences \(Against Targeted Picketing\) Bill 2021 – No. 139 of 2021 – Houses of the Oireachtas](#)

<sup>102</sup> IHREC, <https://www.ihrec.ie/commission-welcomes-significant-judgment-on-the-human-rights-of-international-protection-applicants-in-landmark-case/> (2024); [Government appeals High Court ruling that the State is breaching human rights of asylum seekers; State has 'done nothing' about High Court judgment finding breach of asylum seekers' rights, judge hears – The Irish Times](#)

<sup>103</sup> ECRI fifth-cycle report on Ireland, §117; ECRI fourth-cycle report on Ireland, §116.

<sup>104</sup> [gov.ie - White Paper on Ending Direct Provision | Executive Summary in various languages](#)

<sup>105</sup> [Comprehensive Accommodation Strategy for International Protection Applicants](#)

accessing basic amenities and services. Furthermore, the 2023 LGBT Ireland's report, commissioned by the government to examine the lived experiences of IPAs who are members of the LGBTI+ community, presented specific recommendations to improve the support for these residents within the international protection system.<sup>106</sup> While an IPAS Resident Welfare Team was appointed to lead on implementation of the report's recommendations, ECRI was informed that Direct Provision centres continue to fail in protecting LGBTI asylum seekers from discrimination, violence and harassment.

69. ECRI recommends, as a matter of priority, that the authorities, in close cooperation with local authorities and civil society organisations, take prompt and effective steps to improve the availability and quality of safe accommodation for international protection beneficiaries and applicants, including measures aimed at ensuring that LGBTI international protection beneficiaries and applicants have access to accommodation which is safe for them and in which they will not experience discrimination.
70. The Migrant Integration Strategy (MIS) 2017-2021 has been the central policy framework to promote the integration of all migrants who are legally residing in Ireland, envisaging a whole-of-government approach to enhance diversity, inclusion, and equality through increased focus on social inclusion measures, improved access to public services and targeted action to address racism. During the 2024 visit to Ireland, the ECRI delegation was informed that the successor MIS is expected to be finalised in mid-2025 with detailed targets and impact indicators. ECRI trusts that the authorities will deliver on this commitment.
71. ECRI learned about a number of language courses provided for beneficiaries of international protection and migrants, including through the English for Speakers of Other Languages (ESOL) offered by all Education and Training Boards at beginner, intermediate and advanced level, predominantly face to face and part-time, but also online or blended and full-time. Some of these courses are linked to other subjects such as customer service, hospitality, healthcare assistant training, computer and business skills. However, a comprehensive and systematic national integration course is not provided. Funding is made available to integration projects and initiatives through the National Integration Fund and the Communities Integration Fund, often relying on local authorities and civil society organisations for service delivery and implementation.
72. The Department of Enterprise, Trade and Employment (DETE) is responsible for the granting of employment permits to non-EEA (European Economic Area) nationals and publishes annual statistics on this matter.<sup>107</sup> Through Intreo Employment Services,<sup>108</sup> the Department of Social Protection provides employment support to migrants and other groups of concern to ECRI, which includes access to upskilling and employment opportunities. The nature of the services they receive is dependent upon their entitlement to income support and their right to reside, and access to various active labour market programmes such as Community Employment and the Work Placement Experience Programme (WPEP).<sup>109</sup>
73. Research shows that attitudes towards immigration and refugees have shifted in Ireland in recent years, with people being more supportive of helping Ukrainian refugees and EU migrants rather than asylum seekers and migrants from outside

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<sup>106</sup> [gov.ie - LGBTI+ people living in International Protection Accommodation Services \(IPAS\) accommodation: Best practices & lived experiences](#)

<sup>107</sup> Employment permits statistical tables and company listings per year: [Statistics - DETE](#)

<sup>108</sup> [Intreo - the Public Employment Services](#)

<sup>109</sup> [gov.ie - Work Placement Experience Programme](#)

the EU/Ukraine.<sup>110</sup> Civil society organisations have reported significant differences in access to healthcare and employment between Ukrainians with temporary protection on the one hand and asylum seekers on the other hand. For example, Beneficiaries of Temporary Protection (BOTPs) benefit from a reduced qualifying time of nine months to be eligible for CE schemes, down from the standard 12 months. Similarly, ECRI was informed that BOTPs can start work immediately, while asylum seekers only after six months and among them differential treatment exists between General Employment Permit holders and Critical Skills Permit holders.<sup>111</sup> Rather than strengthening and expanding integration measures for all refugees and migrants, the government has recently announced what is considered to be a drastic cut to social protection benefits for BOTPs living in state-provided accommodation centres in Ireland.<sup>112</sup> ECRI strongly encourages the authorities to extend and not restrict integration services for all beneficiaries of international protection and migrants, potentially applying some of the successes of the Temporary Protection Directive<sup>113</sup> to asylum seekers and international protection beneficiaries, taking due account of its 2022 statement on the consequences of the aggression of the Russian Federation against Ukraine.<sup>114</sup>

74. On a positive note, in March 2023, the government launched the National Action Plan Against Racism (NAPAR) 2023-2027,<sup>115</sup> which represents a state-led, coordinated approach to eliminating racism in all its forms, including antisemitism, anti-Muslim racism, racism that impacts Traveller and Roma people and communities, racism affecting people of African Descent, as well as migrants, refugees and asylum seekers. The First NAPAR Implementation Report for 2023/2024 has been published. It outlines the Actions from the NAPAR already implemented or in progress.<sup>116</sup> ECRI concurs with the opinion expressed by a number of interlocutors met during the visit that the NAPAR is a significant step forward in addressing institutional forms of racism.
75. At the same time, several interlocutors were critical about its lack of precision about timelines, funding, and the responsible body for priority actions, thereby limiting transparency and accountability for the plan's implementation.<sup>117</sup> In addition, they pointed towards the overall shortfalls in the collection of equality data in Ireland, including the difficulties in measuring outcomes for minority ethnic groups and the impact of national policies and schemes. Action 4.3 of the NAPAR calls for introducing a standardised ethnic classification across administrative systems, state agencies and surveys to enable ethnic equality proofing and monitoring of state policies, budgets, and programming. This should be completed by 2025 and linked with the forthcoming Equality Data Strategy.<sup>118</sup>

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<sup>110</sup> ESRI, [Attitudes towards immigration and refugees in Ireland: Understanding recent trends and drivers | ESRI](#) (2024), pp. 38-40.

<sup>111</sup> In Ireland, there is a two-tiered employment permit system, with some jobs eligible for a critical skills employment permit and others only eligible for a general employment permit. A worker on a general employment permit does not enjoy the same rights as critical skills permit holder when it comes to family reunion, the ability to change employer and, until May 2024, the right to work for their spouses and dependents: [Changes to Employment Permits to Allow Spouses to Work - MRCI](#)

<sup>112</sup> [UNHCR Statement on Proposed Benefit Cuts for Refugees from Ukraine](#) (2024).

<sup>113</sup> [Directive - 2001/55 - EN - EUR-Lex; Implementing decision - 2022/382 - EN - EUR-Lex; Temporary protection - European Commission](#). See, in this connection, [Irish Red Cross | Ukraine Crisis Response FAQs](#) and [Ukraine arrivals from next March would not be offered accommodation under new plan – The Irish Times](#).

<sup>114</sup> [Statement](#) adopted by ECRI at its 88<sup>th</sup> plenary meeting (29 March – 1 April 2022). At their 1435<sup>th</sup> meeting of 1 June 2022, the Ministers' Deputies of the Council of Europe's Committee of Ministers encouraged member States to take any necessary action in the light of ECRI's statement.

<sup>115</sup> [gov.ie - Minister Joe O'Brien announces publication of Ireland's National Action Plan Against Racism 2023-2027](#)

<sup>116</sup> [gov.ie - National Action Plan Against Racism](#)

<sup>117</sup> IHREC, [Accountability needed from State to Combat Racism - IHREC - Irish Human Rights and Equality Commission](#) (2023); INAR, [NAPAR » INAR](#) (2023).

<sup>118</sup> [gov.ie - Minister O'Gorman announces the development of a National Equality Data Strategy](#)

76. ECRI recommends that the authorities develop an appropriate system of integration indicators in various areas of public policy on addressing racism and intercultural inclusion, including in education, employment, housing and health, and improve the collection of comprehensive and appropriately disaggregated equality data on persons benefitting from international protection and migrants, including gender-disaggregated data. Such data should be used among relevant bodies with a view to ensuring the clear assessment of the needs of these persons and the design and implementation of more targeted policy responses.

## B. Travellers and Roma

77. The number of Irish Travellers living in Ireland was 32 949 according to Census 2022,<sup>119</sup> which for the first time also included Roma as a separate category on the question of ethnicity and recorded 16 059 Roma living in the country.<sup>120</sup> Surveys and the findings during the ECRI visit to Ireland suggest that Travellers and Roma continue to face high levels of racism and discrimination, with recent research confirming negative attitudes towards them.<sup>121</sup>
78. ECRI welcomes the adoption of the first Traveller and Roma Education Strategy 2024-2030 and its 2024-2026 Plan for Implementation and Action.<sup>122</sup> It also praises the second National Traveller and Roma Inclusion Strategy 2024-2028 (NTRIS II) and its Action Plan 2024-2026.<sup>123</sup> The government also launched the first National Traveller Health Action Plan (NTHAP) 2022-2027.<sup>124</sup> While ECRI positively records these frameworks and instruments, it also shares the concern raised by many interlocutors during the visit that Ireland risks falling into a “policy rich, action poor” trap, as some put it.<sup>125</sup> ECRI invites the authorities to take resolute action to ensure that these strategies and action plans are properly resourced and fully implemented in order to address the many challenges still affecting Traveller and Roma communities in Ireland, including racism and discrimination.<sup>126</sup>
79. A 2023 report highlighted that some schools in Ireland still segregate children into Traveller-only classrooms, and that some teachers actively encourage Traveller children to leave school once they reach the legal age of sixteen.<sup>127</sup> Furthermore, several NGOs raised concerns about the use of reduced timetables (reduced school days) in relation to pupils in vulnerable situations, including Traveller and Roma children.<sup>128</sup> ECRI encourages the authorities to continue assessing the use of reduced school days,<sup>129</sup> and promptly act to ensure that this practice is limited only to those circumstances where it is absolutely necessary (for example,

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<sup>119</sup> Central Statistics Office, [Irish Travellers - CSO - Central Statistics Office](#) (2023).

<sup>120</sup> [gov.ie - Spotlight report on Roma in Ireland published](#)

<sup>121</sup> For example, just 53% of people surveyed would feel comfortable living near a Traveller or Roma person: [gov.ie - Survey on People in Ireland's attitude towards diversity](#) (2023), p. 6. Further, during its visit to Ireland, the ECRI delegation heard a number of accounts from Travellers and Roma, including in the Donegal County, who shared their stories about daily struggles with personal examples of what they considered as individual or institutional discrimination in various areas of life, such as school education, employment, housing, healthcare, or simply when they tried to book a hotel or a venue for celebrating a family occasion.

<sup>122</sup> [gov.ie - Traveller and Roma Education Strategy](#)

<sup>123</sup> [gov.ie - National Traveller and Roma Inclusion Strategy II 2024-2028](#)

<sup>124</sup> [gov.ie - Ministers for Health, Public Health, Wellbeing and the National Drugs Strategy, and Children, Equality, Disability, Integration and Youth, and the HSE launch the first National Traveller Health Action Plan](#)

<sup>125</sup> The government has been widely criticised for its lack of implementation in critical policy areas, including poverty, education, employment, housing, and access to healthcare. See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights - IHREC - Irish Human Rights and Equality Commission](#) (2024).

<sup>126</sup> See also, in this connection, Committee on Economic, Social and Cultural Rights: [Concluding observations on the fourth periodic report of Ireland](#) (2024), para. 23.

<sup>127</sup> Many North Cork Traveller children still facing barriers to education, study finds: [2023 - News and Views from University College Cork](#)

<sup>128</sup> Children's Rights Alliance, Report Card 2024, <https://childrensrights.ie/wp-content/uploads/2024/02/Report-Card-2024.pdf> (2024), p. 58.

<sup>129</sup> [gov.ie - The Use of Reduced School days](#)

supporting a student to return to school after a period of absence, or due to a medical or mental health-related condition)<sup>130</sup> and does not disproportionately affect Traveller and Roma pupils.

80. On a positive note, Equal Start, launched in May 2024, is a funding model and a set of associated universal and targeted measures to support access and participation in early learning and care (ELC) and school-age childcare (SAC) for disadvantaged children and their families (including from a Traveller or Roma background).<sup>131</sup> Similarly, the Delivering Equality of Opportunity in Schools (DEIS) identification model includes specific actions to promote improvements in school attendance and completion of Traveller and Roma pupils. Following the expansion of the scheme, ECRI was informed that a further 361 schools are now under the DEIS programme and around 65% of Traveller pupils can avail themselves of these supports.<sup>132</sup> ECRI welcomes both initiatives and considers them as **promising practices**, especially praising the tiered approach which incorporates universal supports for all children and all settings, child-targeted and setting-targeted supports for priority groups and disadvantaged contexts. However, ECRI encourages the authorities to ensure regular and effective monitoring and evaluation of such programmes and to intervene with any necessary adjustments.<sup>133</sup>
81. Despite the government's commitments, Travellers say that they continue to face barriers to accessing employment and experience high levels of unemployment<sup>134</sup> and underemployment, and many Roma have reported hiding their identity when seeking work due to fear of discrimination.<sup>135</sup> NTRIS II has a specific section on employment, and a number of Government departments will work together to oversee a strengthened Traveller employment support programme, a new Public Service Traveller and Roma Internship Programme, and entrepreneurship opportunities.<sup>136</sup>
82. The authorities informed ECRI that they continue to make improvements to the provision of adequate accommodation for Travellers, including the provision of Traveller-specific accommodation in line with the cultural preferences of the Traveller community. They also highlighted that in recent years local authorities have made full use of the Department of Housing, Local Government and Heritage Capital Budget available for Traveller-specific accommodation.<sup>137</sup> However, during the visit, the ECRI delegation heard from interlocutors that Travellers continue to be disproportionately impacted by the general housing and homelessness crisis. This echoes the findings of the European Committee of Social Rights, which held that evidence of tangible and meaningful improvements was lacking as regards the provision of accommodation for Travellers or living conditions on halting sites. The

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<sup>130</sup> Guidelines for schools on recording and notification of the use of Reduced School days, [gov.ie - The Use of Reduced School days](#) (Published 16 September 2021, Effective from 1 January 2022), p. 3.

<sup>131</sup> [gov.ie - Equal Start](#); [gov.ie - Equal Start for children experiencing disadvantage](#)

<sup>132</sup> [gov.ie - DEIS Delivering Equality of Opportunity In Schools](#)

<sup>133</sup> For example, public funding, including childcare subsidies for parents, is only provided for programmes offered through providers registered with Tusla, the Child and Family Agency. Other forms of childcare, such as that provided by unregistered childminders are not covered by publicly funded childcare schemes: Children's Rights Alliance, [Child Poverty Monitor 2024](#) (2024), p. 35. There are also supply issues linked to recruitment and retention of staff, with significant waiting lists and limited vacant places: [Reported capacity by age group](#). IHREC, [Policy Statement on Care](#) (2023), p. 52.

<sup>134</sup> According to Census 2022, the unemployment rate for Travellers aged 15-65 years was 61%, broken down between a female unemployment rate of 58% and a male unemployment rate of 63%.

<sup>135</sup> Other barriers to employment include language and literacy challenges; lack of access to appropriate training; health issues linked to housing/prior working conditions; and lack of childcare and transport options. Research participants who were in employment were more likely to be engaged in precarious and low-quality work. Pavee Point Traveller and Roma Centre and Applied Social Studies, Maynooth University, [Roma in Ireland: Access to Fair and Decent Work](#) (2023), pp. 30-46.

<sup>136</sup> [Strategy published to address issues faced by Travellers](#)

<sup>137</sup> ECRI fifth-cycle report on Ireland, §71 and ECRI Conclusions on Ireland (published on 3 March 2022).



Committee also worryingly noted that several issues previously raised still persist, including the absence of sufficient provision for culturally appropriate Traveller-specific accommodation, long waiting times for social housing, and poor living conditions on local authority halting sites.<sup>138</sup> Despite the long-term strategy entitled “Housing for All: a New Housing Plan for Ireland” that runs until 2030,<sup>139</sup> the severe housing and homelessness problems faced by Travellers are said to be still a reality in the country.<sup>140</sup>

83. There are indications that Travellers and Roma experience poorer health outcomes than the general population and health inequalities. NTRIS II underlines that, in line with a social determinant approach, wider issues can impact on health status.<sup>141</sup> These factors have a clear detrimental impact on health outcomes, including for example in relation to life expectancy,<sup>142</sup> self-harm and suicide rates.<sup>143</sup>
84. In the view of ECRI, the issues faced by Travellers and Roma are multifaceted and interconnected, and as a result interventions must also be multidimensional across education, employment, accommodation, and health. All these areas, and more, are included and detailed in the NTRIS II. However, given that implementation was a weakness in the previous Strategy, it is crucial that the authorities adopt a strong result-oriented approach and a transparent reporting and implementation mechanism.
85. ECRI recommends that the authorities take decisive action to secure the effective implementation of the National Traveller and Roma Inclusion Strategy 2024-2028 (NTRIS II) and its two-year action plans, in particular by: i) allocating sustainable and sufficient resources; ii) conducting regular monitoring and evaluation; iii) ensuring close cooperation with local authorities, civil society organisations and members of the Traveller and Roma communities.
86. During its 2024 visit to Ireland, the ECRI delegation had the opportunity to meet with the Board of Management and staff members of the Donegal Travellers Project in Letterkenny, many of whom are members of the Traveller community themselves. ECRI also discussed the experiences and challenges faced by Roma and Travellers, as well as other minority ethnic communities, in Donegal with Donegal County Council, local development companies, and Travellers, Roma,

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<sup>138</sup> European Committee of Social Rights, Follow-up to decisions on the merits of collective complaints, Findings 2023, <https://rm.coe.int/findings-2023-en-final/1680b0630c> (2024), p. 128.

<sup>139</sup> [gov.ie - Housing for All - a New Housing Plan for Ireland](https://www.gov.ie/en/publications-and-statements/publication/1680b0630c)

<sup>140</sup> FLAC, [Traveller Accommodation: Access to Justice, Human Rights and Equality Submission to the Joint Committee on Key Issues affecting the Traveller Community](#) (2024); Irish Traveller Movement, [Parallel report to the Committee to the International Covenant on Economic, Social and Cultural Rights towards Ireland's review at its 75<sup>th</sup> Session](#) (2024); IHREC, [Comments on Ireland's 20th National Report on the Implementation of the European Social Charter](#) (2023).

<sup>141</sup> For example, Traveller and Roma communities and other ethnic minority groups are not only at higher risk of homelessness, but they also experience a range of health problems affecting their quality of life. HSE National Social Inclusion, [National Strategic Plan to Improve the Health of People Experiencing Homelessness in Ireland \(2024-2027\)](#) (2024), p. 4.

<sup>142</sup> The overall Traveller mortality rate is 3.5 times higher than that of the general population. In Census 2022, 4% of the Traveller population reported their health as bad or very bad. This is twice as high as the proportion of the total population who reported their health as bad or very bad (2%). Roma population also shows lower than average life expectancy and reported discrimination in accessing health. Of the 6 643 calls received by the Cairde National Roma Infoline in 2022, more than half were made from or on behalf of Roma who had no medical card, and close to a quarter of incoming calls were made from or on behalf of Roma who had no Personal Public Service (PPS) number. Maternal health emerged as a major concern for Roma women. See [National Traveller and Roma Inclusion Strategy 2024-2028 \(NTRIS II\)](#)

<sup>143</sup> The National Traveller Health Action Plan is based on data that suicide accounts for approximately 11% of all deaths within the Traveller community, which is six times the national rate. HSE, [National Traveller Health Action Plan \(2022-2027\): Working together to improve the health experiences and outcomes for Travellers](#) (2022), p. 43. More recent data indicates that Travellers have the highest rates of self-harming compared to other ethnic groups. Irish Traveller Movement, [Parallel report to the Committee to the International Covenant on Economic, Social and Cultural Rights towards Ireland's review at its 75<sup>th</sup> Session](#) (2024), p. 8. Recent research also showed a strong link between discrimination, mental health and suicide: [Discrimination key factor in Traveller suicides, study finds – The Irish Times](#)

and Ukrainian Roma refugees.<sup>144</sup> It emerged during these meetings that there were very positive initiatives at community level that, in the view of ECRI, should be further supported financially, such as programmes to increase Traveller parents' engagement in education, intercultural training and anti-racism reporting for health and social services, employment schemes and opportunities.

87. ECRI recommends that the authorities provide adequate funding to Traveller and Roma-led community development organisations to ensure their full and effective participation in research, policy implementation and monitoring across a variety of sectors, including education, employment, housing, and healthcare.

#### IV. TOPICS SPECIFIC TO IRELAND

##### A. Discrimination, including racial profiling, in policing

88. Despite ECRI's previous recommendation,<sup>145</sup> racial profiling is not explicitly prohibited by law in Ireland. There is also a lack of official data on racial profiling while there are reports that it occurs.<sup>146</sup> The case of George Nkencho, a young Black Irish man with severe mental health difficulties who was shot by An Garda Síochána in December 2020, became widely known and has sparked public debate. In April 2024, the Office of the Director of Public Prosecutions decided not to prosecute the Gardaí involved in the fatal shooting.<sup>147</sup> ECRI was also informed of other cases.<sup>148</sup>
89. In a survey from the University of Limerick, 78% of those who believed that they were racially profiled explained that the Garda who stopped them knew that they were Travellers and 53% stated that the particular Garda who stopped them has a reputation for stopping Travellers.<sup>149</sup> In the context of stop and search, Travellers also recounted experiences of police harassment; threats to abuse power; Gardaí deliberately escalating conflict; and degrading treatment. Of those who had been searched or had their belongings searched in the previous five years, 89% thought they were searched because they are Travellers.<sup>150</sup>
90. In 2020, the United Nations Committee on the Elimination of Racial Discrimination (CERD) expressed concern about the reportedly high incidence of racial profiling by the Irish police targeted at people of African descent, Travellers and Roma.<sup>151</sup> In this connection, ECRI notes that, in Action 1.5 of the National Action Plan Against Racism (NAPAR), the Irish government committed by 2025 to identify and eliminate any policing practices that target specific groups experiencing racial discrimination, including through racial profiling.
91. ECRI recommends that the authorities: i) take steps towards the introduction of legislation that clearly prohibits racial profiling by police officers; ii) ensure the collection of appropriately disaggregated data about individuals subjected to stop-and-account/stop-and-search by police officers; iii) incorporate the issue of racial

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<sup>144</sup> [Donegal Travellers Project](#)

<sup>145</sup> ECRI fifth-cycle report on Ireland, §54.

<sup>146</sup> Irish Council for Civil Liberties (ICCL) and Committee on the Administration of Justice (CAJ), [Racial Profiling in Law Enforcement](#) (2024). Irish Council for Civil Liberties (ICCL) and Irish Network Against Racism (INAR), [Policing and Racial Discrimination in Ireland: A Community and Rights Perspective](#) (2024).

<sup>147</sup> [George Nkencho death: Family still await outcome of appeal over decision not to prosecute – The Irish Times](#)

<sup>148</sup> For example: ['Brutalised': Nigerian architect speaks out about Dublin attack](#). NGOs met by ECRI also reported cases of racial profiling by Gardaí in the expansion of the scope of the Dublin City centre "Operation Citizen" to include identity checks on migrants, and in the implementation of "Operation Sonnet" on the border between the Republic of Ireland and Northern Ireland.

<sup>149</sup> This confirms previous data from the Fundamental Rights Agency (FRA): 58% of those respondents who had been stopped in the twelve months prior to the survey thought that it was because of their Traveller identity. FRA, [Roma and Travellers in six countries | European Union Agency for Fundamental Rights](#) (2020), p. 37.

<sup>150</sup> University of Limerick, [Irish Travellers' Access to Justice](#) (2023), p. 80.

<sup>151</sup> Committee on the Elimination of Racial Discrimination, [Concluding observations](#) on the combined fifth to ninth reports of Ireland, (2020), pp. 3-4.

profiling and the reasonable suspicion standard into in-service police training; and iv) enhance police oversight by developing strong internal reporting and external police complaints mechanisms in order to ensure that any racial profiling and other discriminatory practices are promptly detected and subject to effective investigations and, where necessary, appropriately sanctioned. In this context, due account should be taken of ECRI's General Policy Recommendation No. 11 on combating racism and racial discrimination in policing and General Recommendation No. 36 of the United Nations Committee on the Elimination of Racial Discrimination on preventing and combating racial profiling by law enforcement officials.

92. ECRI also recorded concerns about plans to allow An Garda Síochána to use Facial Recognition Technology (FRT).<sup>152</sup> In February 2024, a parliamentary committee, the Joint Oireachtas Committee on Justice, highlighted serious deficiencies with respect to the use of FRT, including discrimination and inherent bias concerns.<sup>153</sup> When used by law enforcement officials, FRT risks misidentifying individuals and leading experts have clearly documented that these errors do not affect all individuals equally.<sup>154</sup> Women and people of colour are said to be more likely to be misidentified,<sup>155</sup> and Black men and Black women have also a higher chance of being classified as criminals.<sup>156</sup> ECRI encourages the authorities to commission an independent and comprehensive study on the use of FRT by An Garda Síochána, including on the potential discriminatory aspects of this tool, and ensure careful and evidence-based considerations for any decision on this matter so that powers relating to control, surveillance or investigation activities can only be exercised on the basis of a suspicion that is founded on objective criteria.

#### **B. Racism and intolerance in the field of sport**

93. ECRI was informed of positive examples in the field of promoting diversity and inclusion in sport,<sup>157</sup> including the allocation of funds to sporting bodies<sup>158</sup> and activities organised by civil society organisations.<sup>159</sup>
94. However, reportedly persons of concern to ECRI still face racism and discrimination in sport. For instance, Sport Against Racism Ireland (SARI) issued a solidarity statement after a Black athlete was subject to online racist abuse.<sup>160</sup> In September 2023, the sporting organisation Gymnastics Ireland issued an apology to a young Black athlete following an alleged racist incident<sup>161</sup> and agreed, after invitation from the IHREC, to carry out an equality review of its provision and services.<sup>162</sup> In 2024, Sport Ireland – the authority tasked with the development of sport in the country – issued a Guidance for Transgender and Non-Binary Inclusion in Sport that was intended to assist the Irish sport sector in decision making and

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<sup>152</sup> [gov.ie - Minister McEntee receives Cabinet approval for draft Facial Recognition Technology Bill](#)

<sup>153</sup> ICCL, [Justice Committee highlights serious deficiencies with Facial Recognition Technology bill - Irish Council for Civil Liberties](#) (2024).

<sup>154</sup> [Leading experts warn against Garda use of FRT - Irish Council for Civil Liberties](#)

<sup>155</sup> [Does A.I. Lead Police to Ignore Contradictory Evidence? | The New Yorker](#) (2023).

<sup>156</sup> Birhane, A., Prabhu, V., Han, S. and Boddeti, V.N., (2023). On hate scaling laws for data-swamps. arXiv preprint arXiv:2306.13141. [\[2306.13141\] On Hate Scaling Laws For Data-Swamps](#)

<sup>157</sup> [Diversity and Inclusion | Sport Ireland](#)

<sup>158</sup> [gov.ie - €6 million in funding for National Governing Bodies of Sport announced](#)

<sup>159</sup> For example: [Refugee and Migrant Rights Limerick Organisation Launches Toolkit to Combat Racism in Sport | Doras](#); [Anti-racism training for schools and sports associations: Show Racism the Red Card | Immigrant Council of Ireland](#)

<sup>160</sup> Sport Against Racism Ireland (SARI), [STATEMENT BY BOARD OF SARI — Sport Against Racism Ireland](#) (2024).

<sup>161</sup> ['Unreserved' apology for black gymnast over medal snub](#)

<sup>162</sup> IHREC, [Commission invites Gymnastics Ireland to undertake an Equality Review - IHREC - Irish Human Rights and Equality Commission](#) (2024).

policy development.<sup>163</sup> However, this document was widely criticised, including by interlocutors met by the ECRI delegation during its 2024 visit to Ireland, because it does not substantially address the barriers and issues faced by transgender people wishing to participate in sport. In relation to the impact on intersex people and consideration as part of the guidance's development, LGBTI NGOs highlighted that much more could have been done<sup>164</sup> and that the preparatory consultation process did not involve intersex people.<sup>165</sup>

95. In 2022, during the development of a new Sport Diversity and Inclusion Policy, Sport Ireland consulted with groups of various ethnicities. The subsequent interviews highlighted some of the challenges experienced by ethnically diverse individuals in the field of sport. These included, for example, a fear of experiencing racism, discrimination and exclusion, not feeling welcome in sport settings, a lack of role models and a shortage of facilities, clubs and opportunities that met their interests and needs.<sup>166</sup> The Irish Sports Monitor (ISM) 2023 also revealed that the percentage of white Irish people (49%) who are members of a sports club is twice that of those from Black, Asian or other background (24%).<sup>167</sup> While the ISM 2024 shows that the social participation by ethnicity of club membership for those from Black, Asian or other background has slightly increased to 28%, ECRI encourages the authorities to redouble their efforts to ensure equal opportunities for all, counter racism and intolerance, promote diversity and inclusion in sports, including through training and awareness-raising activities, in close cooperation with sport and civil society organisations.

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<sup>163</sup> Sport Ireland, [Guidance for Transgender and Non-Binary Inclusion in Sport](#) (2024). [Sport Ireland issues guidance update on it's transgender and non-binary inclusion policy | The Irish Post](#)

<sup>164</sup> For example, the document shows a graph highlighting the developmental differences between the "two sexes" which fails to recognise and include intersex people and their achievements.

<sup>165</sup> Transgender Equality Network Ireland (TENI), [Open Letter to Sport Ireland – TENI](#) (2024).

<sup>166</sup> [Cultural experience of sport can only be enriched by embracing diversity | Irish Independent](#)

<sup>167</sup> Sport Ireland, [Irish Sports Monitor 2023](#) (2024), p. 14.

## INTERIM FOLLOW-UP RECOMMENDATIONS

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The two specific recommendations for which ECRI requests priority implementation from the authorities of Ireland are the following:

- (§42) ECRI recommends that the authorities take steps towards the adoption by parliament of legislative measures aimed at specifying and clearly defining in criminal law expressions of hate speech that are subject to criminal liability, in particular incitement to hatred, violence or discrimination and at ensuring that such expressions of hate speech are punishable by effective, proportionate and dissuasive sanctions, in the light of ECRI's General Policy Recommendation No. 15 on combating hate speech and other relevant general policy recommendations, the Council of Europe Committee of Ministers' Recommendations CM/Rec(2022)16 on combating hate speech and CM/Rec(2024)4 on combating hate crime, as well as other relevant European and international standards.
- (§68) ECRI recommends that the authorities, in close cooperation with local authorities and civil society organisations, take prompt and effective steps to improve the availability and quality of safe accommodation for international protection beneficiaries and applicants, including measures aimed at ensuring that LGBTI international protection beneficiaries and applicants have access to accommodation which is safe for them and in which they will not experience discrimination.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report

## LIST OF RECOMMENDATIONS

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The position of the recommendations in the text of the report is shown in parentheses.

1. (§ 6) In the light of ECRI's General Policy Recommendation No. 2 (revised) on equality bodies to combat racism and intolerance at national level, ECRI recommends that the authorities: i) allocate sufficient human and financial resources to the Irish Human Rights and Equality Commission (IHREC) in order for it to carry out all its functions effectively; ii) take measures to strengthen the IHREC's independence in the recruitment and appointment of its staff; and iii) strengthen cooperation with the IHREC in the field of equality and non-discrimination by replying to or taking action to implement the IHREC's recommendations within a certain timescale.
2. (§ 16) ECRI recommends that the authorities speed up the process of putting in place a national system of monitoring racist and LGBTI-phobic bullying and violence in schools and that they gather appropriately disaggregated data on such incidents, including on specific reasons for bullying behaviour.
3. (§ 20) ECRI recommends that the authorities: i) review existing legislation to ensure that the exemption for refusal of admission on the basis of religion does not adversely impact access to education; ii) provide greater clarity as to the definition of "ethos" and what is required in order to establish that a refusal was essential to maintain the ethos of the school, ensuring it does not constitute discrimination on the ground of religion; iii) ensure evidence-based planning and implementation of measures to ensure the scientific neutrality essential in any educational approach.
4. (§ 25) In the light of ECRI's General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination, ECRI recommends that the authorities review the existing legal framework and practices with a view to ensuring that irregularly present migrants have access to basic services, in particular education and emergency and other necessary health care, and that "firewalls" are clearly and formally prohibiting the relevant services, notably in the areas of education, housing, employment, healthcare, social assistance and justice, from sharing data on the legal status of migrants with the immigration authorities for purposes of immigration control and enforcement.
5. (§ 32) ECRI recommends that the authorities: i) finalise and make publicly available the National LGBTQI+ Inclusion Strategy 2024-2028 and its action plan; ii) ensure that the provision of yearly funding for its implementation is accompanied by multi-annual budgetary planning and adequate allocation of human and financial resources; iii) establish an effective monitoring and evaluation mechanism with specific responsible sub-groups dedicated to each strategic theme of the Strategy.
6. (§ 37) ECRI recommends that the authorities: i) prepare and bring to parliament a comprehensive bill that expressly acknowledges the right of intersex persons to bodily integrity and prohibit the performance of medically unnecessary surgeries (often referred to as "sex-normalising" surgery) and other non-therapeutic treatments until such time as the intersex child is able to participate in the decision, based on the principle of free and informed consent; ii) ensure that appropriate protocols of care for intersex persons are developed; iii) provide intersex equality training for health professionals; iv) establish easily accessible counselling and support services for intersex people and their families.
7. (§ 42) ECRI recommends, as a matter of priority, that the authorities take steps towards the adoption by parliament of legislative measures aimed at specifying and clearly defining in criminal law expressions of hate speech that are subject to criminal liability, in particular incitement to hatred, violence or discrimination and at ensuring that such expressions of hate speech are punishable by effective, proportionate and dissuasive sanctions, in the light of ECRI's General Policy Recommendation No. 15 on combating hate speech and other relevant general

policy recommendations, the Council of Europe Committee of Ministers' Recommendations CM/Rec(2022)16 on combating hate speech and CM/Rec(2024)4 on combating hate crime, as well as other relevant European and international standards.

8. (§ 47) ECRI recommends that the authorities step up their efforts to encourage public figures, such as high-level officials, politicians and religious, economic and community leaders, to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech, react promptly to any such expression with strong counter-speech and alternative speech, and express solidarity with those targeted by hate speech. In this context, the authorities should draw on the Council of Europe Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech and all political parties should be encouraged to sign to the Charter of European political parties for a non-racist and inclusive society, as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).
9. (§ 56) ECRI recommends that the authorities set up a comprehensive data collection system offering an integrated and consistent view of cases of racist and LGBTI-phobic hate speech and hate crime, with appropriately disaggregated data by category of offence, type of hate motivation, target group, as well as judicial follow-up and outcome, and ensure that this data is made available to the public.
10. (§ 63) ECRI recommends that the authorities: i) seek to recruit more officers with a minority or immigrant background and make data on the recruitment, hiring and promotion of underrepresented groups publicly available; and ii) further develop trainings for all police officers on how to deal with groups of concern to ECRI.
11. (§ 69) ECRI recommends, as a matter of priority, that the authorities, in close cooperation with local authorities and civil society organisations, take prompt and effective steps to improve the availability and quality of safe accommodation for international protection beneficiaries and applicants, including measures aimed at ensuring that LGBTI international protection beneficiaries and applicants have access to accommodation which is safe for them and in which they will not experience discrimination.
12. (§ 76) ECRI recommends that the authorities develop an appropriate system of integration indicators in various areas of public policy on addressing racism and intercultural inclusion, including in education, employment, housing and health, and improve the collection of comprehensive and appropriately disaggregated equality data on persons benefitting from international protection and migrants, including gender-disaggregated data. Such data should be used among relevant bodies with a view to ensuring the clear assessment of the needs of these persons and the design and implementation of more targeted policy responses.
13. (§ 85) ECRI recommends that the authorities take decisive action to secure the effective implementation of the National Traveller and Roma Inclusion Strategy 2024-2028 (NTRIS II) and its two-year action plans, in particular by: i) allocating sustainable and sufficient resources; ii) conducting regular monitoring and evaluation; iii) ensuring close cooperation with local authorities, civil society organisations and members of the Traveller and Roma communities.
14. (§ 87) ECRI recommends that the authorities provide adequate funding to Traveller and Roma-led community development organisations to ensure their full and effective participation in research, policy implementation and monitoring across a variety of sectors, including education, employment, housing, and healthcare.

15. (§ 91) ECRI recommends that the authorities: i) take steps towards the introduction of legislation that clearly prohibits racial profiling by police officers; ii) ensure the collection of appropriately disaggregated data about individuals subjected to stop-and-account/stop-and-search by police officers; iii) incorporate the issue of racial profiling and the reasonable suspicion standard into in-service police training; and iv) enhance police oversight by developing strong internal reporting and external police complaints mechanisms in order to ensure that any racial profiling and other discriminatory practices are promptly detected and subject to effective investigations and, where necessary, appropriately sanctioned. In this context, due account should be taken of ECRI's General Policy Recommendation No. 11 on combating racism and racial discrimination in policing and General Recommendation No. 36 of the United Nations Committee on the Elimination of Racial Discrimination on preventing and combating racial profiling by law enforcement officials.



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## APPENDIX: GOVERNMENT'S VIEWPOINT

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The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Ireland.

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Ireland on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 20 March 2025, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.



## **Viewpoints of Ireland on European commission Against Racism and Intolerance (ECRI) Report on Ireland – Sixth Monitoring Cycle**

### **GENERAL**

The Irish Government notes and welcomes the ECRI Monitoring Group's view that progress has been made and that good practices have been developed in a number of fields since the adoption of ECRI's fifth report on Ireland.

Irish society continues to demonstrate overall respect for diversity and sensitivity to intersectionality. The Irish authorities' efforts to adopt national strategies and actions plans to support those that have been excluded over many years have been recognised and include the:

- National Action Plan Against Racism 2023–2027 (NAPAR),
- National Traveller and Roma Inclusion Strategy 2024–2028 (NTRIS II),
- National Traveller Health Action Plan 2022–2027 (NTHAP),
- Traveller and Roma Education Strategy 2024–2030 (TRES),
- National LGBTIQ+ Inclusion Strategy II 2024–2028 (NLIS II),
- Cineáltas: Action Plan on Bullying
- Pathways to Work 2021–2025
- Roadmap for Social Inclusion 2020–2025

### **National Action Plan Against Racism**

Ireland's National Action Plan Against Racism (NAPAR) was submitted to Government in March 2023 and launched on 21 March 2023, the UN International Day for the Elimination of Racial Discrimination. The plan will be implemented during the five-year period of 2023-2027. The NAPAR represents a national level, State-led, co-ordinated approach to eliminating racism in all its forms in Ireland. It is hoped that the actions will have a significant positive impact on all minority ethnic communities and faith-based groups in Ireland.

The Department of Justice, Home Affairs and Migration has committed to publishing an annual report capturing the implementation status of each action under the plan in consultation with Departmental representatives working in the area of human rights, equality and social inclusion.

The first report for 2024 was published in June 2024. The second iteration of the report for the year 2024 along with a data report on the impact of the NAPAR is expected to be published in 2025.

In September 2025, Officials from the Department of Justice, Home Affairs and Migration will be meeting with a wide range of Government Departments and public sector bodies on a bilateral basis to discuss overall progress on implementation of relevant actions under NAPAR, key challenges and opportunities and next steps.

The Ireland Against Racism Fund (IARF), launched in May 2023, and is an important element in supporting the implementation of the NAPAR. The overall objective of this fund is to provide funding for national and regional projects, as well as local initiatives, that aim to combat racism and foster racial equality and community cohesion. 57 projects amounting to €2.4 million have been funded under the scheme to date. A funding call for the 2025 IARF has recently closed and successful candidates will receive funding grants in the coming months.

Recent other projects funded under the IARF include:

- **The Irish Congress of Trade Unions (ICTU) 'Stronger Together' project**, which seeks to build awareness and offer services which

enhance trade union's ability to tackle racism in workplaces, trade unions themselves, and across wider society.

- **AkiDwA- Employment, Empowered (Phase 2): Immigration Systems Training for Employers**, which includes information on navigating the process of hiring migrants and relevant immigration stamp and work permits.
- Business in the Community Ireland – EPIC (Employment of People from Immigrant Communities) Individual Job Seekers Supports
- **Gorm Media DAC – The Wideshot Programme**, which aims to equip participants with multimedia and creative skills essential for a successful career in the digital media landscape.
- **Migrant Information Centre Ltd – Levelling Up**: Building the visibility and participation of vulnerable employment permit holders to combat labour market discrimination.

### **Racial Profiling in Policing**

Racial profiling is not a feature of policing in Ireland and is not currently compatible with the human rights obligations of An Garda Síochána. The question of ethnicity in Garda interactions with the community is one which must be considered by An Garda Síochána in light of human rights principles on consent, privacy, data protection, non-discrimination and respect for the dignity of the individual.

### **LGBTI Equality**

The Irish Government recognises that while significant advancements have been made in LGBTIQ+ equality in recent years, challenges remain, and there are new and emerging issues for the LGBTIQ+ community. The Irish Government is conscious of the need for targeted responses to directly address the continuing challenges faced by LGBTIQ+ people today.

The National LGBTIQ+ Inclusion Strategy II 2024 – 2028 (NLIS II) and its associated first two-year Action Plan (2025-2026) seek to address these challenges, providing a roadmap towards equality for LGBTIQ+ people in Ireland over the coming years. The Strategy seeks to provide a safe, fair, and inclusive Ireland where people are supported to live inclusive, healthy, and fulfilling lives, whatever their sexual orientation, gender identity or expression, or sex characteristics.

In relation to **Recommendation 5, Paragraph 32)**

The National LGBTIQ+ Inclusion Strategy II 2024 – 2028 (NLIS II) and its associated first 2-year Action Plan (2025-2026) were launched and published on 12 July 2025. The Strategy and Action Plan were shaped by reflections and learnings from the implementation of both the LGBTI+ National Youth Strategy (2018-2020) and the National LGBTI+ Inclusion Strategy (2019-2021). The Strategy is underpinned by human rights principles and is guided by Ireland's international human rights commitments.

Two separate consultation approaches were designed to inform the Strategy; one for participants aged 18 and over and a separate process involving children and young people (aged 13-18). The purpose of the consultation process was to draw together and present the views of LGBTIQ+ people and those who engage with LGBTIQ+ issues through their lived experience in a manner that would contribute most effectively to the development of the new Strategy.

The consultations availed of all opportunities to engage with and listen to intersectional voices. A series of targeted focus groups were held with transgender people, intersex people, bisexual people, older people, migrants, people with disabilities, and representatives from the Traveller and Roma communities. Listening to these intersectional voices supported the Strategy in its approach of addressing the specific needs of the most marginalised LGBTIQ+ people in Ireland.

Funding for implementation of actions under the Strategy will be provided through the annual estimates process. The Estimates process is Dáil Éireann's method to withdraw funds from the Exchequer to meet Government spending obligations.

The Department of Children, Disability and Equality will have overall responsibility for oversight of the NLIS II. Reporting Government Departments will be required to give updates on implementation of actions under the Action Plans. An annual report on the implementation of the NLIS II will be published. The Minister for Children, Disability and Equality and the Steering Committee will actively communicate with the Oireachtas Committee and Senior Officials Groups to ensure accountability at senior level.

The Committee to oversee the Strategy will have a more strategic focus on critical issues. It will be chaired at Ministerial level in the Department of Children, Disability and Equality. Sub-committees will be formed as and when required. The sub-committees will focus on specific programmes of work and be action oriented.

In reference to **paragraph 27**, the Central Statistics Office piloted questions on sexual orientation and gender identity in 2024. The Census Advisory Group recommendations for Census 2027 are due to be reported later this year.

In relation to **paragraph 35**, the Programme for Government, '*Securing Ireland's Future*', contains a commitment to advance legislation to ban conversion practices. Given the complex and sensitive nature of the proposed legislation, the key policy principles that will underpin the legislation are being carefully considered. Work on drafting the General Scheme is ongoing.

### **Travellers and Roma**

The Irish Government recognises that Travellers and Roma people are amongst the most marginalised and discriminated groups in Ireland, with members of both communities experiencing specific challenges across a range of areas including employment, health, accommodation, and education. The Irish Government is also conscious of the vulnerability of the Traveller and Roma communities in Ireland and the need for targeted responses to address the issues they face.

The National Traveller and Roma Inclusion Strategy 2024-2028 (NTRIS II), launched in July 2024, was developed to respond to the systemic challenges facing both communities. NTRIS II represents a whole of Government approach to ensuring and facilitating the full inclusion and active participation of the Traveller and Roma communities in Ireland's social, economic, cultural, and political life. Its purpose is to realise a safe, fair, and inclusive Ireland where Travellers and Roma are supported to lead inclusive, healthy, and fulfilling lives.

In reference to **Paragraphs 78 and 84 and Recommendation 13 (§ 85)**, NTRIS II is informed by a stronger outcomes-focused approach than its predecessor. It was developed in close consultation with Traveller and Roma organisations, and it incorporates a robust implementation structure with achievable actions and clearly defined key performance indicators. NTRIS II will be implemented across two 2-year Actions Plans to maintain a focus on delivery and outcomes.

A new Steering Committee has been established that includes Traveller and Roma representatives and will have a more strategic role than its predecessor in addressing issues that are critical to strategy delivery. To ensure high level political oversight, the Steering Committee will report regularly to the relevant Government Cabinet Committee, supported by the Senior Officials Group, as well as to the Oireachtas [Parliament] Committee on Children and Equality. This will assist the process of ensuring the necessary resources are secured by Departments in the annual Estimates process to enable NTRIS II actions to be implemented.

There is provision also for the close involvement of the Traveller and Roma communities as the new Strategy is implemented. There will be transparent public reporting on progress in delivering actions across all relevant Departments, State Agencies, and

Traveller and Roma organisations, which will inform discussions held by the NTRIS II Steering Committee. The overall reporting and monitoring framework for NTRIS II will be supported by the publication of an annual report on progress.

NTRIS II provides for subcommittees in key thematic areas, including employment, education, and research, to provide guidance on the implementation of the Strategy and Action Plans relative to these areas and report accordingly to the NTRIS II Steering Committee. Membership of the subcommittees includes representatives from Traveller and Roma organisations and Government Departments and agencies. The Strategy will also provide for a new National Traveller and Roma Forum, to be held annually, which will further reinforce the Strategy's focus on promoting the inclusion and active participation of Travellers and Roma in the decision-making process.

In regard to **Paragraph 81**, employment and enterprise remain central elements of the new Strategy. A number of actions under the first Action Plan are currently underway, and further actions planned for commencement, including the Civil Service Traveller and Roma Placement (Internship) Programme, which will include a pathway to permanent employment in the Irish Civil Service; an expansion of the Special Initiative for Travellers (SIT) employment and training support service from seven to fourteen locations across the country, and; the Traveller Apprenticeship Incentivisation Programme (TAIP).

In reference to **ECRI Recommendation 14 (§ 87)**, funding is provided across a range of Government Departments and State Agencies to support and address the specific needs of the Traveller and Roma communities and to advance the objectives of the National Traveller and Roma Inclusion Strategy II 2024-2028 (NTRIS II), according to the individual responsibilities of each Department and Agency. Each Department is responsible for securing budgets in their respective areas of responsibility.

Funding for the implementation of actions under NTRIS II and for the support of local and national Traveller and Roma organisations is provided through the annual Estimates process each year. This funding is used to support local and national Traveller and Roma organisations and a range of programmes that address the disadvantage and economic and social exclusion faced by both communities. Some of the additional funding secured under Budget 2025 will target cost of living pressures faced by the different organisations while resources will also be made available for new actions under the NTRIS II Action Plan 2024 – 2026, especially in relation to the priority area of Traveller and Roma employment.

In addition, under the Dormant Account Fund Action Plan for 2025, funding of €1.795 million was allocated for 2025 to advance Traveller and/or Roma community initiatives (of which €1.34 million is allocated through the Traveller and Roma Policy team in the Department of Children, Disability, and Equality, which has overall responsibility for the oversight and implementation of NTRIS II).

In addition to the funding provided under NTRIS II, the Strategy is closely aligned with a range of other Government strategies developed to address key areas of concern for the Traveller and Roma communities, including the:

- Traveller and Roma Education Strategy 2024-2030 (TRES),
- National Traveller Health Action Plan 2022-2027 (NTHAP),
- National Action Plan Against Racism 2023-2027 (NAPAR).

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.