



Office for Democratic Institutions and Human Rights

**Information Submitted to the
Office of the United Nations High Commissioner for Human
Rights
as a Stakeholder in the
Universal Periodic Review of Ireland**



WARSAW, 21 SEPTEMBER 2015

OSCE/ODIHR Submission of Information about an OSCE participating State or Partner for Co-operation under consideration in the Universal Periodic Review Process

Participating/Partner State: Ireland

UPR Session and Date of Review: 25th Session, April-May 2016

Background

Ireland is a participating State in the Organization for Security and Co-operation in Europe (OSCE) and has thus undertaken and has recently reaffirmed a wide range of political commitments in the “human dimension” of security as outlined in relevant OSCE documents.¹ The OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) has been mandated by OSCE participating States, including Ireland, to assist them in implementing their human dimension commitments. OSCE/ODIHR assistance includes election observation and assessment activities as well as monitoring and providing assessments, advice and recommendations relating to implementation of commitments in the fields of human rights, democracy, tolerance and non-discrimination, and the situation of Roma and Sinti in the OSCE area. The present submission provides publicly available country-specific information that may assist participants in the Universal Periodic Review process in assessing the situation in Ireland and its implementation of past recommendations, as well as to formulate new recommendations that may be relevant to enhancing the enjoyment of human rights and fundamental freedoms.

Election-related activities

Early Parliamentary Elections, 25 February 2011: Following an invitation from the Permanent Mission of Ireland to the OSCE, the OSCE/ODIHR undertook a Needs Assessment Mission (NAM) to Ireland from 7 to 10 February 2011. Despite some concerns raised about campaign financing and voter registers, OSCE/ODIHR NAM interlocutors expressed little concern that these might translate into fraudulent activities. Furthermore, all major parties proposed political and electoral reform following the elections as part of their campaign program and planned to address certain identified shortcomings. There was also a very high level of confidence of all stakeholders in the electoral process and the election administration. Based on the above and due to the short timeframe before the upcoming elections, the OSCE/ODIHR NAM did not recommend deploying an election-related activity for the 25 February parliamentary elections.²

Legislation reviewed by ODIHR

NTR

Tolerance and non-discrimination issues, including incidents of and responses to hate crime

The authorities in Ireland and other sources have provided information to ODIHR, most recently for its 2013 hate crime annual reporting cycle. Extracts from this information are included below.

¹ Compendium of OSCE Human Dimension Commitments, vol 1 and 2; Astana Commemorative Declaration, 2010.

² See the full NAM report at: <http://www.osce.org/odihr/elections/ireland/117871>

OSCE participating States have made a number of commitments to promote tolerance and non-discrimination and specifically to combat hate crime, and the OSCE/ODIHR supports states in their implementation of those commitments. In this context, the OSCE/ODIHR produces an annual report on hate crime to highlight the prevalence of hate crimes and good practices that participating States and civil society have adopted to tackle them. It also helps participating States to design and draft legislation that effectively addresses hate crimes; provides training that builds the capacity of participating States' criminal justice agencies, prosecutors, judges and police; raises awareness of hate crimes among governmental officials, civil society and international organizations; and supports the efforts of civil society to monitor and report hate crimes.

Information concerning Ireland in the most recent (2014) edition of the annual hate crimes report³ referring to incidents occurred in 2013 includes the following:

Information from the Irish authorities: Ireland submits regularly its contribution to ODIHR Hate Crime Report. Data are collected by the Central Statistics Office and the national Police Force of Ireland, but they are not made publicly available. The country's criminal code does not contain hate crime provisions.

The police recorded 109 hate incidents occurred in 2013, of which 12 were sentenced. Out of the 109 incidents, two had anti-Semitic motivation, 17 had LGBT motivation and the remaining 90 had racist and/or xenophobic bias.

A joint training initiative was developed for female and male members of the Roma community by the Garda Racial, Intercultural & Diversity Office (GRIDO). This training delivered in conjunction with trainers from the Roma Community, focused on anti-discriminatory policing techniques for Garda members and the Garda Ethnic Liaison Officer.⁴

Starting with its 2012 reporting cycle, ODIHR introduced a system of key observations for all countries, based on OSCE Ministerial Commitments related to hate crime recording and monitoring. ODIHR observed that Ireland has not reported on the numbers of prosecuted cases to ODIHR.

Information from civil society organizations and groups: In addition to information received from national authorities, ODIHR sent requests for information on hate crimes in Ireland to non-governmental organizations and to international and local civil society organizations and groups. European Network Against Racism (ENAR) Ireland reported ten physical assaults with racist and xenophobic bias, including an attack by a group against Muslim worshippers at a mosque that also involved racist insults; four assaults carried out by a group one of which against a South Asian man resulting in serious injuries; and five physical assaults including one against a Muslim woman that also involved racist insults.

The same organization also reported two physical assaults that involved racist insults based on bias against Muslims.

World Without Nazism recorded one anti-Semitic graffiti incident.

³ <http://hatecrime.osce.org/ireland>

⁴ <http://garda.ie/Controller.aspx?Page=13702>

Finally, Transgender Equality Network Ireland reported seven physical assaults, one of which resulting in serious injuries, as well as three incidents of damage to property and five threats against LGBT people.

Roma and Sinti issues

The OSCE/ODIHR has a specific mandate to assist participating States in implementing the OSCE Action Plan for Improving the Situation of Roma and Sinti within the OSCE Area.⁵ The most recent Status Report on the implementation of the Action Plan was issued by ODIHR in 2013.⁶ The report included the following information about the situation of Roma and Sinti in Ireland.

In their response to the 2013 Status Report questionnaire, Ireland indicated specific achievements in improving the situation of Traveller community with the development and adoption of the National Roma Integration Strategy and the improvement of housing conditions. Racism and discrimination are listed among serious challenges undermining integration and furthering marginalization of the Traveller community in Ireland. The 2013 Status Report stresses continuing attacks against Travellers in Ireland.⁷ At the same time, favorable developments can be tracked in the labour market, where Ireland has removed some labour restrictions for the Traveller community, which contributed to the improvement of their economic situation.⁸

As it has been pointed above, there is a positive change in housing conditions for Travellers community in terms of funding made available for improving the living conditions highlighted in the 2013 Status Report. Ireland supports housing programmes aimed at refurbishing and creating caravan sites, providing caravan dwellers with “specific accommodation” (i.e., new caravans), or offering caravan dwellers the option of moving into permanent apartments.⁹

Country-specific ODIHR monitoring, assessment, co-operation and assistance activities (other than elections)

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Other assessments and recommendations contained in ODIHR reports on thematic human issues

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⁵ <http://www.osce.org/odihr/17554>.

⁶ <http://www.osce.org/odihr/107406>.

⁷ *Ibid*, p. 25.

⁸ *Ibid*, p.38

⁹ *Ibid*, p.31.