



**Submission to the National Anti-racism Committee for proposals on  
Ireland's national anti-racism plan**

**Steering Committee for United Nations International Decade for the People  
of African Descent Ireland (UNIDPADI) submission**

**14<sup>th</sup> July 2021**

**African Descent People in Ireland and Racism**

**Introduction**

This is a submission to the National Anti-racism Committee by the Steering Committee of the United Nations International Decade for People of African Descent in Ireland (UNIDPADI) on behalf of the People of African Descent in Ireland. This committee was formed in March 2019, following the Irish Government announcement and commencement of the process of implementing the United Nations International Decade for People of African Descent 2015-2024.

**People of African Descent in Ireland**

According to the last census conducted in Ireland in 2016 there are 57,850 people living in Ireland that are identifiable as People of African descent. People of African descent have a long history of visiting and some staying here in Ireland. One of the earlier persons of African descent to visit Ireland was Frederick Douglas, an African American self- freed ex- slave who came to Ireland to campaign against slavery and colonialism when Ireland was still a colony. Douglas who stayed four months in Ireland in 1845 made several public speeches alongside Daniel O'Connell- the Irish emancipator.

<https://www.irishtimes.com/culture/books/frederick-douglass-and-ireland-in-his-own-words-a-compelling-account-of-a-historic-moment-1.3632025>



Earlier visitors and inhabitants of Ireland from People of African descent have been here since the founding of the Irish state. This includes their off springs, some of whom have composed one of the most active groups of People of African descent in Ireland. This currently goes by the self-group identity name Mixed-Race Irish.

Together with most Africans and all people of African descent who came to Ireland in 1960s onward from Africa and other parts of world following different paths: education, business, work, asylum for those freeing from persecution, the two communities of People of African origin form one large family and community which has now come to be known as the People of African Descent in Ireland.

This submission begins by asking the Anti-racism committee to highlight the People of African Descent as one of the most vulnerable groups in Ireland. It outlines key socio-economic and human rights challenges which People of African Descent face in Ireland as result of racism, that the Irish government needs to address for people of African descent, from and going forward as the obligation and the spirit of implementing the UN Decade for People of African Descent announced by the United Nations in 2015. And as outlined by the Durban Declaration and Programme of Action, which is necessary to ensure that racism is tackled in every aspect of life and within the Irish society, and that there is a strong anti-racist basis for multi and inter-culturalism.

### **African Descent People in Ireland and United Nations Decade for People of African Descent**

Reflecting on the history of mistreatment of people of African and African Descent globally from Slavery and Colonialism through to contemporary times; the United Nations member states highlighted in the 2001 Durban United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the year 2011 as the United Nations International Year of People of African Descent and in the current United Nations International Decade for People African Descent - 2015 -2024, a need to focus on the specific needs of people of African Descent in all countries where they live.

It urged and called upon national governments in these countries to commit to address and remedy deficits in treatment of People of African Descent which is the result of and arising



from past global history and current circumstances continued by structural and customary racial discrimination practices. The United Nations required states to address the mistreatment and discrimination under the three themes of the international decade declaration: Justice, Recognition and Development for the People of African Descent.

In Ireland the UNIDPAD specific activities started since February 2019, when on 25<sup>th</sup> February 2019 at the Fitzwilliam Hotel Dublin, the Government began engaging the stakeholders and members of the African and African Descent Community to discuss the United Nations International Decade for People of African Descent (UNIDPAD) and its implementation in the republic. This was followed with Irish government convening and leading a public consultation meeting with the African and African Descent Community and other stakeholders which took place on 3<sup>rd</sup> April 2019 at Department of Justice Meeting Hall. On 16<sup>th</sup> March 2019 in the public meeting held at the Teachers Club in Dublin, the African Descent Community present formed a Steering Committee to represent the African Community in discussions with Irish government on the implementation of the Decade and to mobilize the African community and public in Ireland to support the UNIDPAD.

The Steering Committee began discussions with the Irish Government through the Justice and Equality Department to adopt the program for the Decade and its implementation to address issues facing the African descent people in Ireland as the UNIDPAD 2015-2024 requires. It also engaged the African community in joint open public meetings and in the counties, asking members to engage their city and county councils and other key public and private stakeholder to implement UNIDPAD. In December 2019 the Steering Committee also made a presentation on behalf of the People of African Descent at the United Nations Committee on Elimination of Racial Discrimination at CERD's 2796th meeting, held on 10 December 2019 in Geneva where the Irish Government also reported on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) which is United Nations convention that commits all its members to the eliminate racial discrimination and to promote understanding among all races in their states and among nations.



## **A Key Request of UNIDPAD Steering Committee to the National Anti-Racism Committee**

UNIDPAD Steering proposes and asks the National Anti-Racism committee in its recommendations to highlight and treat the African Descent People as one of the most vulnerable groups to and of racism in Ireland. And that as the government has developed an inclusion strategy for Traveller and the Roma, it should develop the same for the People of African Descent.

The Anti-racism Committee highlighting the most vulnerable victims of racism in Ireland is fundamental and important, as it is now recognized to get rid of injustices in societies, the most effective way is to begin with guaranteeing and proofing protection for the most vulnerable groups, the kind that suffer injustice the most. This is beginning with the last and leaving no one behind.

It is opportune that the government of Ireland has set up a National Anti-Racism Committee within the United Nations International Decade for the People of African Descent 2015-2024. The United Nations is asking for the People of African Descent to be protected for especially two fundamental reasons.

Firstly, this group is the one that has been placed last in racist hierarchies of ranking people globally. In all countries where African descent people live, they are the most underprivileged group because of racist systems, practices and how they operate. It is in recognizing this that the general resolutions passed at the Durban United Nations Conference against racism were not enough to protect the People of African Descent. This why in 2010, the United Nations declared the year 2011 the International Year for People of African Descent.

This too was not enough so the UN had to declare the whole decade (10 years) a special period for member states to address the suffering and the plight of discrimination and racism that the people of African Descent suffer globally where they live. It put forward 10 years to ensure member states deliberate with their citizens, civil society, and members of African descent in these countries and enact measures that will put an end to racism and



discrimination of the people of African descent and allow them to enjoy rights as all citizens and migrants in the host countries.

Secondly, this UN special advocacy for the people of African descent was set up because African Descendants as a group of people suffer discrimination and racism arising from the historical global development injustice burden. After European nations overcame resistances from the local people in Africa from 15<sup>th</sup> Century, they enslaved Africans and developed racist ideas and ideologies to justify the enslavement and inhumane treatment of African people as they forced and used the African people to build their economies henceforth. Those that did not engage in enslavement directly did it indirectly by establishing colonial governments in African territories later. Colonialism, like enslavement allowed European colonialists in Africa to force Africans to work in plantations, factories, and other productive activities for very low wages, under the worst working conditions as colonialism ensured that African human resources were working for European colonialists and natural resources were siphoned for free to build economies in Europe.

Both enslavement and colonialism developed racist ideas and ideologies to justify their dominance of Africans and their lands and building henceforth an international trade system where Africans and African resources are exploited to benefit European nations, the USA and succeeding new world economic powers as Africans and their countries continue to suffer in poverty, perpetuating and continuing to place them on the lowest level in human societies' economic development ranking.

It is for this second reason that the United Nations through the UN General Assembly resolution 68/237 of 2013 for the International Decade for the People of African Descent is asking member states not only to stop racism and discrimination against the People of African descent but also to put in place proactive compensatory measures to recompense the African descent people for the generations of abuse and exploitation by other nations globally.

The first request the United Nations makes is a call for Justice for the People of African Descent. A call to be treated equally, justly and be accorded the equal enjoyment of fundamental human rights as everyone in the countries they live.



The second and the third calls are for recompensating the African descent body because of the bearing burden of global development injustice by enslavement and colonialism which together lasted 4-5 centuries. These last two requests come under the themes of recognition and development of the International Decade for People of African Descent Framework in the countries where they live.

In these two calls, the first step is acknowledgement of the global historical roots of racism of the African people and burden this group had to bear and still bears. After acknowledgement then follows the process of enacting policies and measures for recognition and development of the African descent people as United Nations Decade for People of African descent requires.

By announcing the 2011 as the year for the People of African Descent and 2015-2024 as the International Decade for People of African Descent, the United Nations and its member states acknowledges that many nations and Peoples globally suffered enslavement (historically Irish, Germans, Arabs, Greeks, Jews, Anglo-Saxons, and many more were enslaved by other nations). Also, many nations and people were colonialized (the Chinese, South and North Korea, Malaysians, Indians, Southern Americans, the Irish and many more) but none of these nations and peoples continue to suffer the brunt legacy of enslavement and colonialism as Africans and generations of their descents to date. This is partly because other former victims of slavery and colonialism have not come full circle in solidarity with those that are most and still downtrodden because of racist hierarchies and systems that enslavement and colonialism built and continue to perpetuate for the People of African Descent globally.

The UNIDPAD Steering reiterates its request to the Anti-racism Committee to take into account the resolution 68/237 of the International Decade for the People of African Descent and ensure that the Irish Government sets forth a specific strategy that responds to specific requirements of treatment of the People of African Descent because of the historical reasons as they have done with other groups that are most vulnerable to discrimination like the LGTIQ, Traveller and Roma.





## Specific experiences and measures to be taken to solve racism against African Descent People

### 1. Experience of racial discrimination

People of African descent are increasingly experiencing racial discrimination in Ireland that the government needs to step in to remedy it through various strategies including a policy or strategy specifically for people of African descent. The government has developed such strategies for other highly discriminated groups such as the Travellers so it can do the same for people of African descent, particularly following on the UN Decade of People of African Descent that requires UN member States to redress and address the treatment and the plight of people of African Descent. They are required to recognize of fact that most of the injustices that people of African descent face stem from the unjust history of slavery, colonisation of the People of African Descent and the on-going exploitation of resources from the main origin of people of African descent which is Africa.

Not only does racism exist in all areas of life but also studies focusing on People of African descent show that Ireland has one of the highest rates of racism in the workplace within the EU. Europe-wide report of September 2019 shows Ireland's rate for workplace racism is 33%, compared to an EU average of 22%. The study involved all 28 of the EU's member states. Ireland ranked worst alongside Austria, Finland and Luxembourg. The report looked at experiences of people from sub-Saharan Africa.

The Author of the report Professor Michael O'Flaherty on behalf of EU Fundamental Rights Agency notes that these statistics might point to a problem with integration. "We'd have to acknowledge that there must be some link between the problems we're discussing and weaknesses in our integration strategies". "We're not doing a good enough job to integrate newly-arriving migrants in our societies and that in turn feeds into all sorts of patterns of prejudice and discrimination which can lead to violence and other unacceptable behaviour". He added that racism seems to be worst in the workplace. "There's a job to be done in the workplace in terms of respect for cultural diversity," he said.



The report highlighted further that Ireland also ranked poorly across other racism markers, including on a general level of harassment experienced by those who took part. In the past year across Europe, 24% of sub-Saharan African people said they had experienced some form of harassment. This compares with 38% in Ireland. In common with most areas covered in the study, very few of those surveyed in Ireland said they had reported incidents of racially inspired violence.

Indeed people of African descent in Ireland have made substantial effort to work on integration, such efforts need to be met with government strategy dealing with people of African descent addressing their problem and ensuring their integration. The Irish government needs to evolve and enact such a strategy for people of African descent.

Racial Discrimination and prejudices are still prevalent. The Equality legislation acts 2000-2005 stem to curb this prevalence however as with most equality legislation, a comparator is always necessary procedurally however many times a strict definition of race is implemented therefore making some applicants under this legalisation redundant.

<https://www.irishtimes.com/news/politics/ireland-has-worrying-pattern-of-racism-head-of-eu-agency-warns-1.4032957>

## **2. Hate crime and hate speech**

As people of African Descent, we call upon the Irish Government to ensure Ireland enacts a Hate Crime Legislative instrument (Legislation) to encourage the reporting and criminalization of the Racist incidents.

Currently there is no legislation in Ireland that requires a court to take a bias motivation into account when considering sentencing in a criminal case.





Figures gathered by the European Network Against Racism (ENAR) Ireland from 2017 indicates a 33% increase in Hate Crime. 330 Reports of Racism including 19 assaults and 26 cases of Harassment and 111 reports of Hate Speech.

According to figures gathered by the Immigrant Council of Ireland, Africans were most likely to be targeted, with 20% of incidents occurring on Public Transport.

A recent report from the Hate and Hostility Research Group in University of Limerick of Ireland found that the hate Element of a crime was filtered out during the Criminal Justice system in Ireland and that Ireland is behind other EU states surveyed on hate crime legislation.

Indeed, as the chief Commissioner of the Irish Human Rights and Equality Commission noted “it not the responsibility of victims to avoid being targets of hate Crime”.

We ask the Irish government to Ensure that people of African Descent have all access to effective protection and remedies through the competent national tribunals and other state institutions against any acts of racial discrimination. Hate crime legislation will enable this to happen.

In addition, to have the right to seek damages suffered because of such discrimination.

A recent case: The Irish government should take serious account of the recent online backlash of an inter-racial couple featured in a LIDL chain of shops advertisement campaign in October 2019 which led to some harsh and harmful racial comments directed at the couple and people of African descent. The couple experienced so much online abuse that they have left Ireland. National newspapers ran this story but one thing that it shows is how much online abuse takes place against People of African descent and other ethnic minorities. Online news sites like the *Journal* run stories regarding immigrants, there is a vast amount of racial abuse that is aimed at members of the African community, which affects people of African Descent so much. It is strange that so many tech companies are based in Dublin, the city we live in. Yet their websites have allowed for vast amounts of online abuse and racist rhetoric to appear on their sites. In this example, little seen to be done by the Journalists or moderators to curb online racial abuse or hate crime. People have a right to freedom of speech however, such a right also involves consequences that with every right there is a



responsibility. The Irish government and the Irish media sites and tech companies in Ireland must come forward and lead to stem and provide a safe and appropriate discussion forum on hate speech and comments online.

### **3. Participation in public life and representation in decision-making**

There is a substantial number of People of African descent in Ireland now. This needs to be reflected in the public sphere in Ireland and particularly in decision making bodies across the board. However, what is observable is the lack of representation of Africans in decision making in all public spheres.

Proposed Actions to be taken by Irish Government:

- Increase the number of African women and men involved in decision making at local, regional and national level (Schools, community groups, NGOs, Government etc.)
- Conduct a mapping of Africans' involvement in different levels of decision making at local, regional and national level and in all public spheres
- Encourage engagement including the suggested quota system in politics and other decision making bodies.

### **4. Education**

#### **Children in pre and primary schools**

The values of People of African Descent tie in with Irish values of ensuring ultimate protection and doing everything possible to provide a happy childhood for every child. In this we are witnesses of Irish government and society efforts following societal values and national and international provisions to ensure all children in Ireland have secure and happy lives.

In this sector to make life better for African Descent children so that we have a future generation of People of African Descent that lives and thrives in Ireland as its home, the following areas need to be looked at and improved by the Irish government:



1. Schools. Because the government has a bigger say and duty of care to all children in the school system here in Ireland, the government should ensure that all teachers and staff members treat all children equally and particularly ensuring equal treatment of children of African Descent and other children of new communities in Ireland. As African children and those from other communities are different in appearance from the majority of Irish children, that difference is often taken as source of discrimination and mistreatment in various forms including bullying. It is important that schools are made safe and happy places for all children. The government through teachers and staff members in schools should ensure a zero discrimination and zero bullying policy of any child in school especially children of African descent and other new communities.
2. There is remnants of historical stereotypical perceptions and representation of Africa and Africans, that already People of African descent community in Ireland are increasingly becoming aware of and are standing up to stop in the community in Ireland. Such stereotypical perceptions and representation of Africa should not be extended to any child of African descent in schools. This is unfair to adults in the community and as such it is much more unfair to children of African descent to receive that from their peers, teachers and members of staff. Schools should be a place where stereotypical perceptions of Africa and Africans are corrected and prohibited as school stick to building the future citizens of Irish nation that are equal and free. The government and Schools should join the efforts of the Africans in Ireland to correct the historical and often racist perceptions and representations of Africa and Africans as required by United Nations Declaration on the Decade of People of African Descent. In Martin Luther King Jr.'s dictum. content of character should be the yardstick of building and judging children at school and not their colour of skin or stereotypical perceptions and representation of their continent and ethnicity or origin.
3. Deficit representation of Africa and Africans can be perpetuated by teachers based on the ignorance of Africa and Africans but also textbooks and other reference materials used in schools. As more and more Irish schools are becoming multicultural, even with a couple of African descent students the duty of care of upbringing and giving each child fair and equal treatment requires that teachers should get cultural

awareness seminars on handling children from other cultures and also proof read teaching materials to make sure they are culturally sensitive and do not treat places and people, even children from minority cultures particularly Africa and Africans in stereotypical, derogatory and deficit modes. Otherwise such books should not be used in schools. The government should enact a policy of education that new textbooks also incorporate positive and balanced imagery of Africa and Africans.

4. Furthermore, in education and up-bringing of children in Ireland, the government of Ireland needs to develop and implement a policy that:

- Reduces the number of children taken into state care from Africans families. The 2014 interim report on the Child Law Reporting Project finds that there is a relatively high proportion of African families involved in childcare proceedings, 11.4% of all respondents being in Dublin. There are assumptions and lack of cultural understanding and challenges facing African parents who are always misunderstood by front-line services and professionals.
- Workforce: ensure diversity in workforce with at least a good number of social workers from African background leading and dealing with African families in need and during interventions.
- Establish Peer led support for Africans for African families (Similar to Traveller primary healthcare program)- having Africans support Africans is an empowering process which can help reduce problems within families especially for most of the African women parenting alone.
- Deliver Cultural competency training to all front-line services, healthcare professionals and foster parents, especially on African culture and heritage.
- Train and avail services of African cultural interpreters and facilitators when dealing with cases of Africans.
- Recruit Fostering parents from the African community. The current criteria and process is complicated and should be reviewed and amended as it sends most children of African descent to non-African descent parents which does not correct and help children of African descent. It complicates matters more.
- Resource and provide training on cultural adaptation to African parents in Ireland.



- Assist to develop a council of Elders from the African community to help support children and families.
  - Early intervention services resourced/equipped to provide meaningful support for African families that are struggling to meet the needs of their children/youth.
5. The shortage of spaces in schools is also a cause of concerns. As the educational system is still trying to move from religious orders that controlled primary and secondary schools, many migrants who are not of the Catholic church are limited in the schools in which their children can avail of a non religions and non-denominational education. Many non multi denominational schools like “Educate Together” schools suffer from lack of appropriate funding to meet the needs of the school and many must do their own fund-raising campaigns in addition to the funding form the Department of education. Not to mention the limited spaces that are available to parents who wish to send their children to these schools as there are only 84 in Ireland at the moment as per Pobal statistics ([www.pobal.ie](http://www.pobal.ie)). The government of Ireland is called upon to intervene in this matter for benefit of all children in the state.

### **Young people in Secondary Schools and Third level**

- (a) Government should initiate and assist efforts from the African community to work with young people of African descent at ages where identity crisis issues begin to manifest. African descent young people face two cultures, the African heritage culture and the Irish community culture where they find themselves facing identity problems at some point. It is therefore important that the government supports various programs from or with the African community that address this, in combination with other youth issues like mental health.
- (b) African youth as part of their heritage have numerous talents including sports and athletics. Irish government should take affirmative action at the government level and encourage it to be embraced at all levels of the society to enable talented young People of African descent to be embraced in fields of sports as is the case in other exemplary countries.



- (c) As recommended at the primary level, it is essential particularly that secondary level schools continue to be happy and friendly environments for all young people. Stereotypical perspectives and perceptions and representations of African people and Africa need to be banned in schools and among all students through the teaching and learning of dignified perspectives of Africa and African people. If schools need help with getting this right, there is help from the African community practitioners and experts which the government can facilitate to get and provide to schools.
- (d) In secondary schools and third levels, the government should take affirmative action for dignified African history and culture to be show cased, celebrated and learned through various programmes during the years of the UN Decade of people of African descent and after. At secondary level is an initiative for example by African Art Project that reaches out to secondary schools and at the third is a network of Africa societies which works under the African students' association of Ireland (ASAI), which can support these programs. There is African Scholars Association of Ireland (AfSAI) whose members can run various history, culture, and political economy lectures of various Africa related topics to educate the public about Africa. There is also the African-Caribbean Centre which is spearheading the celebration of African History month in Ireland each October.
- (e) A scholarship scheme for African descent students can be developed to mark the Decade of People of African descent and keep on after the decade.
- (f) In employment, affirmative action needs to be taken for the graduates of African descents as is the case with other minorities in Ireland.
- (g) Supporting the integration of African youths into the Irish society and creating environments that enable them to reach their potential.

#### **African studies centre/ institute**

Irish Government should facilitate the set up/ construction and equipment of a building for the **African Studies Centre/institute** with resources for promoting programmes that





showcase the cultures and values of African people; with offices that focus on the empowerment of African men and women. This centre would be a focal point of African studies and activities in Ireland.

There is a strong case for African studies centre. This is because despite the newness of some groups to Ireland, there are very well-established. For instance, the Polish studies Centre, Chinese studies centre and other groups. From the presence of groups like Mixed Race Irish, we know that African presence in Ireland dates to the 50s and beyond. Save the 2019 first Black studies module in UCD set up and run by the African Scholars Association of Ireland whose chairperson was Dr Ebum Joseph; Business in/with Africa and Sustainable Development program run by Dr David Nyaluke as the UCD Proudly Made in Africa Fellow in Business and Development and currently since 2021 Black Studies module in Trinity College Dublin run by Dr Phil Mullen since 2021 to date, not a single complete degree, centre, or institute, for African studies has been set up in Ireland. We recommend that a Centre of Africa studies will address a good number of issues, beyond individual efforts by African scholars and organizations in Ireland.

### **Education reforms**

Education at all levels is responsible for perpetuating the status quo, prejudices and stereotypes that nations have about the other Peoples. As societies become multi-cultural, education content needs to be updated and proofed to eliminate elements that are outdated, irrelevant and prejudicial to other participants in the education system. It also needs to include new elements that makes newcomers to schools feel a sense of belonging. As the education system plays a key role in building newer and younger citizens of world, an UpToDate system of the education is needed to work against racist content and other practices which perpetuate racism. Government needs to work with new communities to change and eliminate racist content and practices in all levels of the the education system.

### **6. Health and social services**

Government of Ireland needs to take action to reduce health inequalities experienced by Africans in Ireland and in particular women. Health (mental health and reproductive health)





remains a huge challenge both on treatment and access. Inequalities exist due to lack of cultural understanding and proper support. These inequalities in terms of access and delivery of services must be improved.

Proposed Actions to be undertaken by the government.

- Facilitate support and recovery for African women and men suffering from mental health problems by setting up community based intervention (example of AkiDWA let's talk model).
- Provide better living conditions and support to reduce numbers of miscarriages among African women especially women living in accommodation centres in Ireland and undertake research on this area.
- Training frontline services and healthcare professionals on cultural competences, cultural understanding, norms and beliefs.
- Drug use and substance Abuse: Reduce and support more of Africans affected by drug use and substance consumption.
- Establish a community led intervention involving key stakeholders which includes African faith and religious leaders, professionals, NGOs, social workers and HSE.
- Address poverty and marginalisation of People of African Descent.
- Conduct research to inform and help develop interventions.

## **7. Employment**

In terms of attainment attributes and credentials, People of African descent form the most disadvantaged and marginalised group in Ireland. They are underemployed, unemployed causing brain waste in Ireland, which also affects family dynamics. As at the 2016 census, the unemployment rate of Black African was 43.5 -63 per cent compared with other white groups at 7-17 per cent. With the national unemployment rate now at 5.5 percent, Black Africans have not benefited from the economic changes. Dr. Ebum Joseph study (2018) showed through an employability programme that more than half of the labour market mobility of this



group is into unpaid roles where people with Levels 8 and 9 qualifications are having to down skill to Levels 5 to be able to access roles that require such levels of qualifications.

Proposed actions:

- (a) That Africans should be given equal job/employment opportunities with their counterparts in various fields.
- (b) Recognize the education and certification from African countries so that Africans in Ireland can do the jobs they are trained for rather than ending up in menial jobs or prostitution to make ends meet.
- (c) Reduce the unemployment rate of people of African descent to a level comparable with other groups that is, from 43.5% to 15%.
- (d) Diversity monitoring in employment, reporting, recruitment and promotion.
- (e) Affirmative action in recruitment and employment particularly in the public sector and academia for Africans ordinarily resident in Ireland.
- (f) Initiate the Multi-cultural charter and tie it to funding.
- (g) Research to collate data on the diversity gap in Ireland. For example, the proportionate number of African academic staff in Irish Universities compared to the numbers that graduated with a PhD from Irish institutions.
- (h) Universities. Measure the progression rate of African academics compared to white academic graduates.
- (i) Stamp out discriminatory practices that prevent People of African descent from social upward mobility in employment thereby keeping them on the fringe of society. The department of Justice is advised to take practical steps that prevent gatekeepers from shutting out opportunities for people of African descent. Gate keepers include professional bodies, employment boards, and panels that craft requirements that are a hindrance targeted at professionals of African descent. For example, qualifications obtained from credible African universities and institutions may not be recognized or if they are, onerous hardships are demanded such as to obtain syllabuses of courses instead of accepting transcripts. The government should demand the number of people of African descent rejected by such bodies after submitting applications.
- (j) Measure the success of inclusion and non-discrimination. The department of justice is advised to take annual audits of people of African descent employed in

governments departments and private businesses. Companies and organisations could be given tax credits and other incentives for implementing equal employment standards or employment for people of African descent. Collating yearly statistics provides a measure of successes being realized in this regard. Simply stating that an organisation is an Equal Opportunities Employer is not enough.

Additionally, we ask the Irish Government to:

- Take affirmative actions encouraging employers to offer jobs through incentive, such as those developed by social protection department mainly for employers who offer jobs to people who are long on the live register. As specific one on African with additional encouragement on African women and men would be ideal.
- Up skilling and access to employment support.
- Strengthen policies and awareness of equality Act 2014 by employers and make it mandatory for employers to develop and enforce equal employment policies.
- Addressing discrimination with employers by recognising diversity and equality as a good practice and an award scheme for companies.
- Awareness raising and training on rights and entitlement for Africans in Ireland.
- Adopting collaborative action for employment of people of African descent between Government and the Private Sector.

## 8. **Housing**

There is a housing crisis in Dublin city and that is growing countrywide. The government of Ireland needs to look after People of African descent and migrants as the most vulnerable in this crisis. As migrants do not have the same access to intergenerational wealth as their European or Irish counterparts, the even rate on buying houses for this cohort is difficult. In terms of the Private rental market, there is a severe shortage of places and some property websites advertise bedrooms to share with 4-5 people in city centre locations for an average price of €300-500 euros. We generally feel that the government has not done enough in this regard for the people of Ireland and



particularly for migrant renters. The imposition of rent pressure zones also ensures that in certain areas, rent will always increase whether landlords actually want to increase it or not as the exemptions available for landlords to implement the 5 per cent increase are severely limited. The housing crisis has caused major concerns for many people particularly migrant families and young migrant professionals. The lack of adequate housing opportunities has led many to seek employment in other European cities. This will continue to be a major problem within the coming 3-5 years as the Brexit policies and decisions are felt in Ireland.

## **9. Asylum system**

While it is believed that Direct Provision System (DP) for those seeking asylum since the last UN CERD's review has changed, the continual and massive use of what is known as emergency accommodation has its limit and must be fully reviewed again. The DP system does not fit its purpose and must be dismantled and decent and private accommodation given to those seeking international protection. These measures must include their rights to safety and security, to be protected from violence or any harm and to provide a very suitable and adequate system to ensure asylum seekers have basic access to services and support for integration. Therefore, we call on the Irish State to put an end to the current DP system and replace it with decent and private accommodation that meets international norms and standards.

### **Family reunification:**

All restrictions, policies and laws, immigration legislation or systems that make family reunification difficult and impossible must be lifted or amended. Similarly, all other forms of discrimination based on incomes, the inadequate recognition given to family reunification must be reviewed to meet international protection requirements.

Africans in Ireland are among the largest group affected by direct provision system. Time spent in direct provision while cases are being processed is long that is 1-5 years or more. Research has shown this to have negative impacts on the individuals. Many African women,



men and children who have gone through asylum process have been negatively affected especially those who had to escape violence and conflict. Through the work of AkiDwA, it has been discovered that there are specific women who have experienced gender specific harm. For example 5975 women living in Ireland have undergone Female genital mutilation and many others have experienced rape and other related persecution before arriving in Ireland. However their experiences are not considered while most of them are unable to relate their experiences due to trauma and fear.

#### Proposed Actions

- Ensure that residence visas for undocumented Africans are completed before the end of the decade so that by 2024 nobody is left in Direct provision accommodation.
- Reduce time spent in asylum process and grant residency in particular to African women victims of GBV/ and gender specific harm in not more than a year after the initial application.
- Training for staff conducting refugee applications interviews on circumstances facing African women including culture, GBV and gender specific harm such as rape and Female Genital Mutilation. Also ensure that there is upskilling and training to all healthcare professionals and front-line service providers, and access AkiDwA training on cultural competency on GBV.
- Conduct psycho socio analysis and provide peer led support for African women.
- It is important that the government should consider the impact of direct provision system centre on Children. The children Ombudsman recently stated that these centres are not suited to the needs of children and that they should not be a long term solutions for children.

#### **10. Migrant and minority women including African Community**

In Ireland, most community support has come from migrant womens' own community. It has been left to organisations like the Africa Centre, AkiDwA and APNI (African Professional Network of Ireland), African Students Association of Ireland(ASAI), Africa Societies in



colleges and universities, African Scholars Association, Wezesha, African and Irish, African-Caribbean Centre, Association of Mixed Race Irish, Association of African Lawyers, African Social Workers, African Priests and Religious leaders and many others to try and meet the needs of African migrants living in Ireland.

These organisations were created by African migrants and have been important in addressing the needs of Migrants. For African women there has not been a movement recognising their own specific needs. Many times, migrant women are more likely to experience discrimination. The inadequacy of recognising the intersectionality (in policy and legislation) of Africa women in private and public life leads to a suggestion that African women are not adequately and appropriately supported. Health care for African woman has also been slack as the Irish health care service is suffering from a shortage of staff and resources like bed spaces in local hospitals. Nurses and healthcare professionals of ethnic descent are also under immense pressures with some patients insisting they would prefer not to be “cared for” by the member of an ethnic minority and would prefer to be treated by an Irish doctor or nurse. No additional support is provided for staff who undergo this mass attack on their reputation and competence. It is a shame that those who seek to care for the Irish people in the health care system are often the ones who experience the most racial abuse and prejudices. We mention this in particular as the healthcare profession is made of a significant number of African women and yet there does not seem to be incentives to at least curb their stress caused by experiences of racial discrimination, nor efforts to discipline patients and service users who are abusive in this regard.

The stalling of implementation of the abortion legalisation following last year’s campaign on the 8<sup>th</sup> has still left refugees and asylum women with no options but to go through with pregnancies that they may not necessarily be in a position to maintain. The *Ms. Y* case of 2015 is a perfect illustration of the type of institutionalisation and control that the Irish state will exert over an ethnic woman and the lengths they will go to impose the morality of a fetus over the rights of women. The passing of the referendum was to enable women to make choices in relation to their bodies, hence the right to bodily integrity comes to light however ethnic woman in the system were never afforded the same choice in that their mobility is severely restricted. The services for termination of pregnancies should they choose to do so are only available abroad and in places that they cannot travel to. Additionally, such women





were not given the right to vote as they are in the asylum process and so when the great debate about the women's right to choose was performed last year, the views and experiences of woman who were in provision centres were greatly ignored even though they were one of the most affected by the referendum campaign.

### **11. Self-identification of people as an ethnic minority group**

On self-identification, members of the African descent community feel that they have been relegated to third class citizens in Ireland, since when one examines the Census categorizations used by the state( Census forms 2016), all the categories of migrant people in Ireland are either derived from their ethnic and places of origins such as 'Chinese' and 'Asians' but it is only the Africans whose category is associated with colour. As a broad category of People, we ask to be identified as African, African Descent, and other African Descent background where need be. The UN has set an example by putting forth the UN Decade for People of African Descent, which all states should follow in categorizing the People of African descent instead of using racist, outdated labels that have existed since slavery and colonialism days.

Self-identification is so personal to individuals but is integral to a person's self worth, self esteem, intrinsic values and ability to accomplish their goals and desires in life. The identity of ethnic immigrants within Ireland has been welcomed by migrants but has not been fully respected by other members of the Irish society. It has been left to members of the African diaspora to help shape a positive self-identity for themselves and members of their community. Those of African descent face the challenges of being racially singled out based on the colour of their skin and judged based on their origins. The adversities faced by People of African descent are often overlooked by other members of Irish community. The rhetoric has been "come here and assimilate as part of our society", rather than "come here and enrich our society with your vibrancy and heritage". There is a lack of education on identity issues in Irish schools as principles such as inclusion and diversity often tend to leave out the "inclusion" part. The brief consultation process by Irish government for United Nations Decade for People of African Descent is one of the only times in which the Irish government has asked members of the African community for an open input in issues that directly affect them.





## 12a: Access to Justice (1)

**Irish citizenship:** The recent Irish high Court decision of Mr. Justice Max Barret highlights the lack of clarity in understanding the term of “habitual continuous residence” and its strict interpretation when it comes to Irish citizenship. Many migrant workers applying for citizenship have been faced with challenging situations in which that could potentially be breaking their residence for merely traveling on a short weekend break or going for short visits to their home countries for a funeral bereavement. They could find their applications in limbo as they face the fear of not being in compliance with the continual residence requirement that has been interpreted by the Irish Courts. Class actions are also not available under Irish law under the floodgates policy and the judicial review process is extremely long sometimes taking 2- 3 years and an applicant must show that they have appropriate standing and apply liberty to make a judicial review of a judge’s decisions. Thus before even making opening submissions under the judicial review process, an applicant has usually undergo immense expense, time and effort for their application. What is also worrying is that although applicant’s complaints are heard on an individual basis, their complaints are usually experienced by a number of persons similar to them. This places a heavy economic and social burden on migrants of African Descent as many have to take time from work to attend hearing dates and to deal with legal administrative costs.

**The citizenship process** has been a major cause of stress and psychological trauma for immigrants. Here is a story one of our fellow immigrants faced and she narrates: “My family came here in 2001 to work in Ireland, I have been living in Ireland since. I have undergone primary, secondary, and third level education and I have worked in the Irish legal sector past six years. My family members who came to Ireland at the same time as me, were granted citizenship many years ago and I enjoyed all rights as a minor throughout until when I was 24 and due now to apply for citizenship on my own. As an adult now I had to make my application based on my own. There is a rule that if you apply for citizenship and came to



Ireland as a minor with your family, you can use your parents' residency as part of your application. Unfortunately, I only found out about this information after I turned the age of 24 and was fully independent. Therefore, I must make a full application as an adult and wait 5 years to accumulate enough residency stamps to apply for Irish citizenship. Every year the costs of renewing my GNIB stands at €300 euros. Two and a half years ago I applied for Irish citizenship. As I thought finally, I will be free of administrative burdens and time-consuming processes of constantly renewing my GNIB card. I was led to believe that it would be a six-month process.

I have been waiting for a decision from the Minister since 2017. While my application is being processed, I have been asked for medical documentation, educational, occupational, home records. I have been asked for extensive paperwork and have had to reproduce documents and bills from 5/6 years ago and have even offered documentation from when I was 19 years. However they have continuously asked for more evidence. I was to the point in which I almost submitted a letter withdrawing my application due to the extensive documentation they required. Documentation that they should have access to though my PPS number. Many times I had to write to organisations all over Dublin seeking duplication letters already submitted causing more stress to the situation. For example, in the case of my college, they provided me with two separate letters at the department of Justice equality request even though I had also furnished a full copy of my transcripts which showed all the academic years that I had attended that educational institution.

I have found the experience extremely intrusive on my private life and exhausting as well. I personally feel that Ireland has failed me in this regard as it has failed to recognise a young African migrant who at all times has positively contributed to Irish society. Going through the process has made to feel less than worthy in comparison to my family and friends who have been naturalized. As this is a national prerogative of each member state within the EU in how they deal with the issue of citizenship and immigration, I feel that Ireland has dealt with this in an inappropriate manner. The fact that some legislation also refers to the Aliens act of 1935 stems to show just how removed some the legislation is in practical terms. Not only to do I feel let down by the Irish state but also by the EU safeguards that stem to hold member states accountable for gross violations of equality principles such as under article 14 of the Charter.



There has also been a clear lack of communication from the department of Justice regarding the lack of clarity, extraneous waiting period and the intrusive nature of collecting my data. The treatment I have endured due to Irish immigration system has cemented for me that I as a human deserve to be treated with dignity and respect and if the system cannot ensure that for me then it is no longer serving me accordingly. I failed to see how the immigration system and the Irish government have met their obligations under CERD. In fact, it seems that they have failed to fully engage with the obligations and provision of CERD particularly under article 2, 5 and 7. African recognised that they have a right to dignity and fairness however I fail to see how the Irish government has vindicated those rights.

**Racial profiling by Garda:** is existent where especially young men of African Descent are the most susceptible to being singled out by the Garda when they are in groups. Within communities, groups of young men of African descent are seen as threats and the first thing that residents do is call the garda, who then arrive to a scene ready to dissipate the group and order them to move on usually without investigating whether or not the groups are demonstrating threatening or intimidating behaviour. For many years, community liaison officers in the community did not know how to deal with young African immigrants particularly how they are seen before the law.

The fact that there is only one Garda college in Templemore which only recently introduced diversity and inclusion course as a fundamental principle to community engagement is important but it increasingly diversifies country progress which needs to be made fast. Media stereotypes have been slow to break particularly for those officers that patrol Communities made up of ethnic groups like in Blanchardstown and Tallaght areas. The Garda have made progress however there is still a lot to do about this. One cannot break prejudices and stereotypes when one does not acknowledge that one has an ingrained perception of a community that they do not fully understand or appreciate.

### **Establishing migrant youth taskforce**

Many young people have become of age in Ireland. There are issues of inclusion and integration of this cohort, that have led to many problems including discrimination and racism against them. To solve this, it will be vital for the government to establish migrant youth task force with an aim to improve their social and economic wellbeing, which is a



significant factor in reducing discrimination and encouraging their full inclusion in society. The Taskforce should be cross-sectoral and should include members of African community, representatives from a range of non-government organisations as well as government Departments and public bodies.

**Africans accumulating in jails and detention centres:** We call upon the Irish government to take affirmative action to redress and address rights of People of African descent that have been in jails and detention centres. This should be done considering the Decade for People of African descent, so that there should not be in jail or detention any person of African descent who does not deserve to be there. Many are in jail and detention problems have compounded their situation and health almost beyond repair.

**Rights to post-mortems that is independent and reliable:** We call upon the Irish government to enshrine this as the general principle to be the right of anyone upon death, particularly in violent and suspicious circumstances. It is very distressing when a People are denied the truth, and the whole truth of the causes of death when they lose members of their community.

## **12.b Access to Justice (2)**

a.) Africans and People of African descent must have the right to effective access to justice as individuals and collectively, including effective protection and remedies through competent national or international tribunals and other institutions. This includes protection and remedies against discrimination or other violation of rights, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of discrimination, historical injustice or other violations.

b.) African and majority of African descendant states have the right to effective access to international justice including the right to seek just and adequate reparation, rectification, restitution or other satisfaction from states or international organizations for any forms of distinction, exclusion, restriction or preference. And to challenge any laws, regulations, policies, institutional arrangements, or activities of a state or international organization with



the purpose or effect of nullifying or impairing the rights of African or majority African descendant states as sovereign nation states and/or the human rights of their members.

4.3 African and majority of African descendants must have the right to seek reparatory justice for the historical injustices suffered due to human rights abuse in the form of enslavement, trafficking, colonialism, genocide, and apartheid. The lasting consequences of these injustices including racial discrimination and denial of Africans and people of African descent equality and protection under the law should be born in mind.

### **13. UN Decade of People of African Descent**

The Irish government is a very late comer to the implementation of the UN Decade for People of African descent 2015-2024. It only begun consultation processes with People of African Descent in March 2019 and the decade plan and activities have not been officially launched yet.

We the African Descent community desire that the Irish government pushes forward the Decade agenda. We seek the government to come up with a strategy for people of African Descent, to address key problems facing people of African descent in Ireland and allocate resources to implement that policy/strategy. To fight against racism and Hate crime using legislation and put in place other anti-racism and non-discrimination measures, affirmative action in education and jobs, enhancement of the status and respect for People of African descent as required by the UN Decade for People of African Descent resolutions.