



## **Pavee Point Traveller and Roma Centre- Written Statement: Working Session 7 Tolerance and non-discrimination, OSCE HDIM, 25 Sep, 2014**

### **Pavee Point – Ireland**

Pavee Point is a non-governmental organisation committed to the attainment of human rights for Irish Travellers and Roma in Ireland. Pavee Point welcomes the opportunity to address this important working session. We take this opportunity to highlight some of the experiences of multiple discrimination among Traveller and Roma women and draw a number of recommendations for the Member States and the OSCE.

### **Context to the Situation of Traveller and Roma Women in Ireland**

There is very little comprehensive and reliable data on the situation of Traveller and Roma women in Ireland due to data not disaggregated by ethnicity. However, it is evident that the situation mirrors that of Roma women elsewhere in Europe. Traveller and Roma women face racism and multiple discrimination based on ethnicity, gender, social protection and immigration status, class, culture, amongst others factors.

This feeds a vicious cycle of poverty and marginalisation and has a serious effect on accessing employment, social protection, health, education, housing and decision making. In fact, Traveller and Roma women are one of the most vulnerable and marginalised groups in Ireland. Many live in poverty and destitution due to lack of access to basic human rights. Traveller women in Ireland live 11 years less than the majority population. Many Roma women in Ireland have no access to work or social protection and are living in extreme poverty.

### **Anti-Roma and Traveller Prejudice and Racism**

Anti-Roma and Traveller prejudice and racism are widespread and deep-rooted, with Traveller and Roma women being subjected to additional racial stereotyping and labelling. Racial stereotypes fuel violence and hatred, and can feed into inappropriate responses by policy makers, authorities and professionals.

Research unveils that 90% of Roma respondents had been discriminated against or harassed in State services in Ireland, including by the police, Health Service Executive and Local Authorities (Nasc, 2013). The relationship between the police and Roma is particularly problematic with specific gendered dimensions.

Clear examples of ethnic profiling of Roma have been documented in Ireland. Roma women are being 'moved on' for begging more often than non-Roma persons, and the police often stop Roma women even when they aren't begging. Roma women are repeatedly turned away from shops, pubs, businesses and restaurants more often than Roma men. More recently, the Ombudsman for Children has deemed incidents where two Roma children were hastily removed from the care of their families as unlawful incidents of ethnic profiling.

### **State Policy**

Pavee Point presented at the OSCE Human Dimension Implementation Meeting in 2012 with regards to the position of Traveller and Roma women in Ireland. It is important to note that the recommendations put forward have resulted in no change in policy, legislation, practise, or improvement of the situation of Roma women. Policies that are presented as 'neutral' but have not been equality proofed, continue to pose significant obstacles for Traveller and Roma women to participate in all aspects of the Irish society.

Ireland has still not recognised Travellers as a minority ethnic group, despite recommendations by various human rights bodies, including CERD. The OSCE Action Plan on improving the situation of Roma and Sinti within the OSCE area specifically notes that OSCE action is based on the human rights framework and in particular CERD. In 2011 CERD 'expresses concern at the State party's persistent refusal to recognise Travellers as an ethnic group notwithstanding that they satisfy the internationally recognised criteria,' and recommended that Ireland works towards recognition of Travellers as minority ethnic group.

State policy and practise continue to place Traveller and Roma women in insecure positions and at risk of poverty. There has been no change to the Habitual Residence Condition, which determines access to social protection in Ireland. In order to access social protection, applicants must prove their connection to the State by satisfying five conditions- nature and pattern of employment; length and continuity of residence in Ireland; length and purpose of any absence from Ireland; applicant's main centre of interest; and future intentions. Many Roma women face a number of additional difficulties to satisfy the conditions even if they have been living in the State for several years. This situation is directly linked with structural discrimination in country of origin and Ireland.

The requirements to HRC are strongly linked to employment. Many Roma women struggle to find formal employment due to discrimination and poor levels of education and training. Many Traveller and Roma women are primary caregivers for children and this affects their work record. Effectively a woman could have been working in the home for years, but this is not counted or valued as 'work.'

Serious issues have also arisen about the application process. These include discriminatory behaviour, verbal abuse and racist comments by staff; resistance to grant social protection to Roma; significant delays and obstructions with processing applications; and demands for unnecessary documentation. The HRC "is used in a deliberate manner as a means to deny the Roma benefits to which they are entitled. This contention is supported by the fact that the majority of applications are granted upon appeal" (Nasc, 2013). Roma women who are repeatedly refused access to any payments risk becoming destitute and homeless. This can

leave very little option for women but to engage in begging, prostitution or petty crime in order to provide for themselves and their children.

The HRC has a serious impact on women experiencing domestic and sexual violence. Without having access to basic needs, including food, shelter, medical needs or school supplies, there are few options but to stay in a violent relationship or face poverty, destitution or even homelessness.

### **National Traveller Roma Integration Strategy**

Tackling the lack of access to basic rights is essential and equally important as combatting the anti-Roma stereotypes, multiple discrimination and exclusion.

The National Traveller Roma Integration Strategy, which Ireland has developed on foot of the European Framework Document for Roma Integration is another example of a situation where women have been excluded. Despite the explicit instructions that Roma and Travellers should actively participate at all stages of the development and implementation of the strategy and that the strategy should be embedded within the 10 Basic Common Principles on Roma Inclusion, these instructions have not been taken into consideration within the Irish Strategy.

Ireland's Strategy currently fails to include awareness of gender dimension – it contains no actions, measures, resources or timeframes to ensure the inclusion and participation of Roma women in Irish society. In addition, Roma and Travellers were excluded from the development of the Strategy.

### **Funding**

In recent years, the Traveller sector has been subjected to significant and disproportionate funding cuts by the State under the guise of austerity. National Traveller organisations have been cut by -63.6%; Traveller education -86.6%; accommodation -85%; equality -76.3%. In addition to cuts, there has been significant under spending of the allocated budgets (Harvey, B., Travelling with Austerity, 2013).

### **Recommendations**

The issues and barriers faced by Traveller and Roma women in Ireland can only be understood and tackled by recognising them as issues of multiple discrimination, social exclusion and marginalisation. Equality of opportunity and non-discrimination can only be realised with the overall improvement of the situation of Traveller and Roma women in accessing socioeconomic, political, civic and cultural rights. Responses by the State need to follow accordingly and be considered in a holistic and comprehensive manner.

**We urge Member States to:**

- Ensure that disaggregated data, according to gender and ethnicity, is collected across all administrative systems and used to inform policy development and priorities. Such data collection must be undertaken in line with human rights principles.
- Develop adequate and effective National Roma Integration Strategies that will have a meaningful impact on Traveller and Roma communities, particularly on women;
  - Ensure National Strategies are based on reliable knowledge and combat anti-Roma stereotypes, racism and discrimination
  - Integrate gender perspective to address the needs and rights of Roma women
  - Set achievable national goals, targets, time frames, funding mechanisms and strong inclusive monitoring and evaluation methods
  - Actively involve Roma and Traveller women in all stages of the development and implementation of the strategies
  - Ensure active participation and consultation of Roma women in the development, implementation, monitoring and evaluation of all policy and practise
- Uphold Member States human rights obligations under international frameworks – this includes applying a human rights and gender perspective to all policy, legislation and practice in relation to Traveller and Roma women
- Undertake a comprehensive gender analysis of the HRC to address inequalities for minority ethnic women experiencing domestic violence
- Equality proof policy and practice to ensure the inclusion of Roma and Traveller women and to address institutional discrimination
- Ensure austerity measures do not impact disproportionately on Traveller and Roma women. Ensure that human rights principles underpin budget decisions and ensure that the most vulnerable do not bear the brunt of austerity measures
- Include gender budgeting in all programmes
- Ensure adequate funding to Traveller and Roma sectors and reinstate the funding cuts under the guise of austerity. Acknowledge the role of this sector in promoting women’s empowerment
- Provide spaces for Traveller and Roma women to actively engage in policy and decision-making in relation to policies that impact their lives

**We call for the OSCE to;**

- Support Member States to meet their obligations in relation to developing progressive National Roma Strategies and to work with the European Commission in ensuring that this happens
- Apply pressure on Member States to urgently amend any policy or legislation, which discriminates against minority ethnic women and impedes access to basic human rights

- Emphasise with Member States about their commitments under international human rights treaties to ensure measures are put in place to protect marginalised and vulnerable women from domestic violence
- We strongly state that recession does not negate human rights obligations, and we urge the OSCE to encourage States to take action in this regard
- Apply pressure on the Irish State to recognise Travellers as an ethnic group to ensure the protection of their human rights

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