



UN Convention on the Rights of the Child - Ireland

Additional Information in Advance of the 92nd Session of the UNCRC Committee (16 January - 3 February 2023) by a Coalition of Traveller and Roma Organisations

December 2023

This update report is submitted as a coalition of five organisations which work towards achieving Traveller and Roma rights in Ireland. **Pavee Point Traveller and Roma Centre** is a national non-governmental organisation working towards the attainment of human rights for Irish Travellers and Roma in Ireland since 1985. The **National Traveller Women's Forum** is a network of Traveller women and Traveller organisations throughout Ireland that recognises the particular oppression of Traveller women in Irish society. **Minceirs Whiden** is Ireland's only all Traveller forum formed in 2004 to create a safe place where Travellers can come together and discuss the issues affecting their community. **Donegal Travellers Project**, formed in 1996, is one of the longest established and largest locally based community development organisations working for, and with, the Traveller community. Finally, the **Galway Traveller Movement**, established in 1994, aims to achieve equality and self-determination for the Traveller community in Galway city and county.

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INTRODUCTION

This report serves as an update to the full Alternative Report submitted to the Committee by this Coalition in August 2022. We welcomed the opportunity to participate in the Pre-session of the Committee in September and will attend the formal interactive dialogue in person in January 2023. The focus of this particular submission is to update the Committee on two key issues that have arisen since the submission of our Alternative Report and the Pre-session: 1) the continued need for stronger action by the Irish State to address the deepening inequality experienced by Traveller children in education and 2) the situation of Ukrainian Roma refugee children arriving in Ireland.

1. National Traveller Education Strategy

Our Alternative Report highlighted the inequalities and exclusion faced by Traveller and Roma children in education which have been exacerbated by the differential effects of COVID-19, as well as the lack of comprehensive measures to address structural discrimination and barriers faced by Traveller and Roma children in education. We are encouraged by the recently launched National Access Plan for Equity of Access, Participation and Success in Higher Education, 2022-2028,¹ which includes targets and funding lines to increase Traveller and Roma access to higher education,² and are conscious of the progress with collecting and using ethnic data in further and higher education. However, we fear that this progress will fall short in the absence of a clear framework, targets and ethnic data which would promote and track school retention and completion rates at other education levels, and in particular at post-primary level.

The development of a **National Traveller Education Strategy** remains a pending recommendation from a 2006 'Report and Recommendations for a Traveller Education Strategy'.³ The 2020 Programme for Government⁴ made a commitment to develop the National Traveller Education Strategy.⁵ However, nearly 3 years on, its development has not commenced. Earlier this year the State indicated that the consultation process for its development would be initiated by the end of this year. However, we regret that this has not happened and no timeline is provided by the State regarding its development.⁶

In light of these concerns, we ask the Committee to seek further information during its interactive dialogue with the State:

a) Can the State indicate its intentions, timeline and process for the consultation, development and full implementation of the National Traveller Education Strategy?

¹ 'A Strategic Action Plan for Equity of Access, Participation and Success in Higher Education 2022–2028', Department of Further and Higher Education, Research, Innovation and Science and the Higher Education Authority, The Higher Education Authority (HEA), established under the Higher Education Authority Act (1971), is the statutory planning and development body for higher education and research in Ireland, in respect of which it advises the Government and the Minister for Further and Higher Education, Research, Innovation and Science.

² Along this we also welcome a number of other measures, such as the publication of National Bullying Action Plan, and a small number of Traveller education pilots which aim to address the education disadvantage at a local level. However, these are short-term localised initiatives and a clear framework to drive education inclusion of Travellers from early years education and care across all education levels is still urgently needed.

³ The Department of Education and Skills, 'Report and Recommendations for a Traveller Education Strategy', 2006. <https://www.assets.gov.ie/24633/d2c07c84c48f4a6e9984f15ff6d34728.pdf>

⁴ <https://www.gov.ie/en/publication/7e05d-programme-for-government-our-shared-future>

⁵ Ibid. p77.

⁶ As per a meeting of the Education Sub-Committee on 30 November 2022, there remains no date for consultation to begin on the National Traveller and Roma Inclusion Strategy.

b) According to the latest Census, only about 20% of Travellers aged 20-24-years have completed the Senior Cycle/post-primary school level⁷ - can the State consider to immediately set second level completion targets for Traveller children as an indicator and starting point for the essential development of the National Education Strategy?

We further recommend the Irish State to:

a) Urgently implement the Programme for Government commitment and develop a National Traveller Education Strategy with targets to address the educational disadvantage experienced by Travellers at all educational levels. Ensure the Strategy has a robust implementation and monitoring plan with associated dedicated targets, indicators, outcomes, timeframes and resources as well as a consultative structure to drive its implementation

2. Situation of Ukrainian Roma Refugee Children in Ireland

There has been widespread reporting⁸ of Ukrainian Roma families (mostly women and children) facing discrimination when trying to access humanitarian assistance, transportation and shelter across Europe. Since March 2022, we became aware of Ukrainian Roma families seeking refuge in Ireland,⁹ and have recorded a number of cases where Ukrainian Roma families were seeking additional support/advice. These cases primarily involved Ukrainian Roma families who had difficulties accessing Temporary Protection. A common thread throughout most cases was concern about discriminatory attitudes, differential treatment, or use of derogatory language when seeking support.

Pavee Point has logged 11 cases involving Ukrainian Roma families being refused Temporary Protection on arrival in Ireland. With our direct support, 6 of these refusals were successfully reversed and Temporary Protection was granted. The most recent case required legal intervention from the Irish Human Rights and Equality Commission. In the other 5 cases, families left the country or contact with the family was lost. A number of families had to stay in Dublin Airport for a number of days. Families (all with very young children and babies) were forced to sleep on floors or benches, without any humanitarian support.

We are conscious of the existing health and social inequalities faced by Roma, particularly Roma children, currently living in Ireland,¹⁰ and are concerned that the barriers now facing Ukrainian Roma families are repeating the patterns of existing exclusion experienced by the wider Roma community in Ireland. It is important that Ukrainian Roma refugees have equal access to and outcomes from these supports under the Temporary Protection Directive and the State's legal obligations as outlined in the Irish Human Rights and Equality Act 2014.¹¹

In light of these concerns, we ask the Committee to seek further information during its interactive dialogue with the State:

⁷ Ibid. Also, 33% of Travellers are enrolled in upper secondary education in comparison with over 90% of the State population in the same age band.

⁸ European Parliament (2022) Russia's war on Ukraine: The situation of Roma people fleeing Ukraine [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729411/EPRS_ATA\(2022\)729411_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729411/EPRS_ATA(2022)729411_EN.pdf)

⁹ Pavee Point has highlighted any emerging concerns, worked with key agencies to promote positive approaches, and signposted Ukrainian Roma families to the appropriate supports and services.

¹⁰ See data in Pavee Point and Department of Justice (2018) Roma Needs Assessment <https://www.paveepoint.ie/wp-content/uploads/2015/04/RNA-PDF.pdf>

¹¹ Section 42 of the Irish Human Rights and Equality Act 2014 outlines the legal duty of all public bodies to eliminate discrimination and promote equality.

- a) The State currently does not have an ethnic identifier in the datasets related to the National Ukraine Response - does the State plan to implement ethnic equality monitoring, including the introduction of a standard ethnic identifier across the relevant datasets, to monitor the experiences and outcomes of Roma and other ethnic minority children seeking Temporary Protection from Ukraine?
- b) Could the State outline the current criteria regarding evidence required for Temporary Protection in Ireland, and what is the process for applicants who are refused Temporary Protection? Are they given clear reason for refusal in writing and is there a mechanism for raising concern about Temporary Protection decisions?
- c) Could the State outline the steps taken to ensure equal and non-discriminatory treatment of all Ukrainian refugees, including measures and the numbers of staff, officials and interpreters working in the national Ukraine Response who have received anti-racism and discrimination training (inclusive of anti-Roma racism)?
- d) What are the safeguards in place for families (particularly children) who are refused supports under the Temporary Protection Directive? What measures are in place to mitigate the risk of exploitation of women and children who are refused these supports?

We recommend the Irish State to:

- a) Ensure a coordinated response between State agencies and relevant NGOs working with refugees and the Roma community to address the specific needs of Ukrainian Roma seeking protection in Ireland
- b) Implement ethnic equality monitoring, including the introduction of a standard ethnic identifier across the relevant datasets in relation to the Ukraine Response
- c) Ensure that all staff and officials working in the Ukraine Response receive anti-racism and discrimination training (inclusive of anti-Roma racism), and training on appropriate use of interpreters
- d) Ensure there is clear criteria on evidence required for Temporary Protection, as well as a process for applicants who are refused Temporary Protection, whereby they are given a clear reason for refusal in writing and introduce a clear mechanism for raising a concern about a Temporary Protection decision and a pathway for appeal

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