

**ADVANCE UNEDITED VERSION**

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**Committee on the Elimination of Racial Discrimination****Concluding observations on the combined fifth to ninth reports of Ireland\***

1. The Committee considered the combined fifth to ninth periodic reports of Ireland (CERD/C/IRL/5-9), submitted in one document, at its 2784<sup>th</sup> and 2785<sup>th</sup> meetings (see CERD/C/SR.2784 and 2785), held on 2 and 3 December 2019. At its 2796<sup>th</sup> meeting, held on 10 December 2019, it adopted the present concluding observations.

**A. Introduction**

2. The Committee welcomes the submission of the combined fifth to ninth periodic reports of Ireland, while regretting the delay in their submission. The Committee appreciates the constructive dialogue with the State party's high-level delegation and the supplementary information provided by the State party following the dialogue.

**B. Positive aspects**

3. The Committee welcomes the State party's ratification of the Convention on the Rights of Persons with Disabilities, on 20 March 2018.

4. The Committee also welcomes the following legislative, institutional and policy measures taken by the State party:

(a) The transposition of the recast Reception Conditions Directive (2013/33/EU) into national law in 2018, which provides for access to job opportunity for asylum-seekers and places reception conditions on a statutory footing;

(b) The extension of the remit of the Ombudsman and the Ombudsman for Children in 2018 to handle complaints about the conditions of direct provision centres with effect from 3 April 2017;

(c) The official recognition of Travellers as an ethnic minority, in 2017;

(d) The National Traveller and Roma Integration Strategy 2017-2021, in 2017;

(e) The Migrant Integration Strategy 2017-2020, in 2017;

(f) The International Protection Act, in 2015, which introduces a single application procedure for international protection;

(g) The Irish Human Rights and Equality Commission Act, in 2014, which establishes the Irish Human Rights and Equality Commission and introduces the human rights and equality duty of public bodies.

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\* Adopted by the Committee at its 100<sup>th</sup> session (25 November – 13 December 2019).

## C. Concerns and recommendations

### Data collection

5. The Committee is concerned about the inconsistent collection of statistics on the ethnic composition of the population. It is also concerned about the lack of comprehensive disaggregated data and the significant gaps in the population census and other national surveys, and administrative data on ethnic minority groups in terms of its availability, quality and use, which makes it hard to assess the fulfilment of the State party's obligations under the Convention (art.1).

**6. Bearing in mind the guidelines for reporting under the Convention (see CERD/C/2007/1, para. 7) and recalling its general recommendation No. 24 (1999) concerning article 1 of the Convention, the Committee recommends that the State party collect and provide updated statistics on the ethnic composition of its population based on self-identification. It should also provide statistics, disaggregated by sex, on the socioeconomic situation and representation in education, employment, health, housing and public and political life of all minority groups, in order to provide it with an empirical basis to evaluate the equal enjoyment of rights under the Convention.**

### Incorporation of the Convention into the domestic legal order

7. While noting the explanation provided by the State party, the Committee regrets that, despite its previous recommendation (CERD/C/IRL/CO/3-4, para. 16), the State party has not taken any steps to incorporate the Convention into the domestic legal order and it has no intention to do so (art. 2).

**8. The Committee reiterates its recommendation that the State party incorporate the Convention into its domestic legal order with a view to ensuring that the Convention is directly invoked before, and applied by, domestic courts.**

### Reservation to Article 4 of the Convention

9. While noting the indication by the Delegation of its intention to revisit its position, the Committee regrets that the State party maintains its reservation/interpretative declaration to article 4 of the Convention (arts.2 and 4).

**10. Recalling its previous recommendation (CERD/C/IRL/CO/3-4, para. 17), the Committee encourages the State party to withdraw the reservation/interpretative declaration made to article 4 of the Convention.**

### Legislative framework for the elimination of racial discrimination

11. The Committee is concerned about the following shortcomings in the Equal Status Acts 2000 to 2018 and the Employment Equality Acts 1998 to 2015:

(a) The absence of all prohibited grounds of racial discrimination in conformity with article 1 of the Convention;

(b) The absence of explicit prohibition of multiple or intersectional discrimination;

(c) The unclear definition of "services" in section 5 of the Equal Status Acts, which may exclude the provision of services provided by public authorities such as the police, the prison service and the immigration service;

(d) Preclusion of complaints against legislative provisions in Section 14 of the Equal Status Acts (arts.1 and 2).

**12. The Committee recommends that the State party review the Equal Status Acts 2000 to 2018 and the Employment Equality Acts 1998 to 2015 with a view to:**

(a) **Bringing the definition of racial discrimination provided for in these Acts in line with Article 1 of the Convention;**

(b) **Providing for explicit prohibition of multiple or inter-sectional discrimination;**

- (c) **Explicitly including the functions of public authorities within the definition of the “services” in Section 5 of the Equal Status Acts;**
- (d) **Ensuring that an effective remedy is provided for discrimination that has a legislative basis.**

#### **The policy and institutional framework for the elimination of racial discrimination**

13. While noting the new measures taken by the State party, including the Migrant Integration Strategy 2017-2020 and an Anti-Racism Committee, the Committee is concerned about the gaps in the existing anti-racial discrimination policy and institutional framework, left by the non-renewal of the National Action Plan Against Racism since 2008 and the disbanding of the National Consultative Committee on Racism and Interculturalism (NCCRI). The Committee is particularly concerned that the Migrant Integration Strategy 2017-2020 is not comprehensive enough to cover all minority groups experiencing racial discrimination; that the Anti-Racism Committee is yet to be composed and functional; and that not all functions of the NCCRI have been reassigned to the existing bodies, including the Irish Human Rights and Equality Commission that is not explicitly mandated to address racism (art.2).

**14. The Committee recommends that the State party intensify its efforts to ensure that no protection gaps exist in policy and institutional framework for any group of people experiencing racial discrimination. In particular, it recommends that the State party:**

- (a) **Develop and adopt a new National Action Plan Against Racism in line with the Durban Declaration and Programme of Action and fully implement it;**
- (b) **Ensure that all functions of the NCCRI, including the monitoring of racist incidents and anti-racism training, are subsumed by existing anti-racial discrimination bodies;**
- (c) **Expand the mandate of the Irish Human Rights and Equality Commission to include the prevention and prohibition of racial discrimination and racism;**
- (d) **Fully implement the Migrant Integration Strategy 2017-2020;**
- (e) **Ensure the effective functioning of the Anti-Racism Committee with a comprehensive mandate and a sufficient budget.**

#### **Racial profiling**

15. The Committee is concerned about the reportedly high incidence of racial profiling by the Gardai (the police) targeted at people of African descent, Travellers and Roma and the disproportionately high representation of these ethnic minority groups in the prison system. It is also concerned about the absence of legislation proscribing racial profiling, the absence of independent complaint mechanisms dealing with racial profiling and the lack of statistics on racial profiling. The Committee regrets the lack of detailed information on legislative, disciplinary or other measures taken by the State party to prevent, prohibit and monitor ethnic profiling by the police force (arts.4 and 5).

**16. The Committee recommends that the State party:**

- (a) **Introduce legislation prohibiting racial profiling;**
- (b) **Put in place an independent complaints mechanism to handle racial profiling;**
- (c) **Review, in collaboration with communities mostly affected by racial profiling, policy, practices and training of An Garda Síochána;**
- (d) **Incorporate racial profiling issues into the training curriculum of police officers;**
- (e) **Fully implement the Garda Diversity and Integration Strategy 2019-2021;**

**(f) Collect disaggregated data on racial profiling and regularly publish it, and provide the data in its next periodic report.**

#### **Mother and Baby Homes**

17. The Committee is concerned about reports of abuses based on race in Mother and Baby Homes, including racial discrimination in the adoption process and physical, emotional and sexual abuse experienced by those children who self-identify as Mixed Race Irish in these institutions. The Committee welcomes the establishment of a statutory Commission of Investigation into Mother and Baby Homes and Certain Related Matters as well as the inclusion of examination of systematic discrimination on the ground of race in the terms of reference of the Commission (arts. 2 and 5).

**18. The Committee recommends that the State party ensure that the Commission of Investigation into Mother and Baby Homes and Certain Related Matters carry out thorough, effective and timely investigations and fully implement the recommendations of the Commission, once published, with a view to bringing perpetrators to justice, providing victims with adequate remedies and preventing the reoccurrence. The Committee requests the State party to provide detailed information, in its next periodic report, on the key findings of the Commission and on the measures taken to address them.**

#### **Racist hate speech**

19. The Committee is concerned about the increasing incidence of racist hate speech directed against Travellers, Roma, refugees, asylum seekers and migrants, particularly through the Internet and social networking platforms. It is also concerned about the frequent incidents of racist hate speech made by politicians, especially during election campaigns. It is further concerned that the Prohibition of Incitement to Hatred Act 1989 has been ineffective to combat racist hate speech, particularly on-line racist hate speech (arts.4 and 5).

**20. Recalling general recommendation No. 35 (2013) on combating racist hate speech, the Committee recommends that the State party:**

**(a) Strengthen its legislation on racist hate speech with a view to effectively combating racist hate speech in all forms of expression and means of communication;**

**(b) Intensify its efforts to tackle the prevalence of racist hate speech on the Internet and social media, in close cooperation with the Internet service providers and social media platforms;**

**(c) Ensure that the online safety and media regulation bill, which is under development, is in line with international human rights standards and expeditiously enact the bill;**

**(d) Effectively investigate and, as appropriate, prosecute and punish acts of hate speech, including those committed by politicians during election campaigns;**

**(e) Ensure that the mandate of the Electoral Commission, once established, includes provisions on the prohibition of racist hate speech in the context of elections;**

**(f) Inform and sensitize the public about racist hate speech.**

#### **Racist hate crime**

21. The Committee is concerned about the reportedly high level of racist hate crime targeted at ethnic minorities, which is often in combination with other grounds of discrimination such as gender and religion. While noting the on-going legislative efforts by the State party, the Committee remains concerned that the existing criminal laws of the State party do not include substantive racist hate crime offences or provide for aggravating circumstances for such a crime. Consequently, such a crime has not been properly reported and recorded, and the racist motivation of crime has not been systematically taken into consideration throughout criminal proceedings. The Committee is further concerned about the absence of legislation that declares illegal and prohibits racist organizations in light of

the escalation in incidents of far-right rhetoric and racist hate crime targeted at ethnic minority groups (arts.4 and 5).

**22. The Committee recommends that the State party:**

(a) **Introduce and enforce legislative provisions that include racist motivation as an aggravating circumstance that will result in a penalty enhancement in crimes committed as a result of racial bias;**

(b) **Ensure that racist hate crime is properly recorded, including by providing clear guidelines on recording of the crime, and collect disaggregated data on the crime;**

(c) **Take effective measures to encourage reporting of racist hate crime;**

(d) **Ensure that cases of racist hate crime are thoroughly investigated and prosecuted, perpetrators are punished and victims are provided with effective remedies;**

(e) **Provide training through the envisaged Judicial Council, for the police, prosecutors and judges on the proper methods for identifying, registering, investigating and prosecuting racist incidents and racist hate crimes;**

(f) **Introduce legislation to declare illegal and prohibit racist organizations in accordance of article 4(b) of the Convention.**

**People of African descent**

23. The Committee is concerned about reports indicating that people of African descent are disadvantaged and discriminated in every aspect of life, including employment and education, on a daily basis, and that there has been a high level of racist hate crimes committed especially against people of a sub-Saharan African background. The Committee is also concerned that, despite the initial consultation with the African community in Ireland, the State party has not yet finalized a programme of action to mark the International Decade for People of African Descent in the halfway point of the decade (arts. 4 and 5)

**24. Recalling its general recommendation No. 34 (2011) on racial discrimination against people of African descent, the Committee recommends that the State party:**

(a) **Take effective measures, including special measures, to address all forms of discrimination against people of African descent, particularly in employment and education sectors;**

(b) **Take effective measures to combat stereotypes of people of African descent, including education about their history and culture;**

(c) **Take effective measures to prevent racist hate crime against people of African descent and ensure that all cases of such a crime are thoroughly investigated, perpetrators are sanctioned and victims are provided with effective remedies;**

(d) **Expedite the adoption of a programme of action for the implementation of the International Decade for People of African Descent, proclaimed by the General Assembly in its resolution 68/237, taking into account General Assembly resolution 69/16 on the programme of activities.**

**Participation in political and public life**

25. The Committee is concerned about the very low representation of ethnic minorities, including Travellers, Roma, people of African descent, Mixed Race Irish and migrant communities, in the political positions at all levels as well as in public services (art. 5).

**26. The Committee recommends that the State party take effective measures, including special measures, to improve the representation of ethnic minority groups in political and public life, including by implementing the goal of ensuring that 1 per cent of the civil service workforce are from ethnic minorities under the National Migrant Integration Strategy.**

**Right to housing**

27. Despite the provisions of Section 20 of the Housing (Miscellaneous Provisions) Act 2009 and the Equal Status Act; and while noting the nationwide housing crisis in Ireland, the Committee remains concerned at reports that ethnic minority groups such as Travellers, Roma, people of African descent, and migrant communities, who have limited access to social housing, face serious discrimination and inequality in the competitive private rental sector and are disproportionately at risk of being homeless. It is also concerned that the Housing (Miscellaneous Provisions) Act 2002 is reportedly used by local authorities to justify forced evictions of Travellers. The Committee is further concerned about the persistent underspending of available budgets by local authorities on culturally appropriate housing for Travellers (art.5).

**28. The Committee recommends that the State party:**

**(a) Analyse the impact of the current housing crisis on Travellers and Roma and other ethnic minority groups and take effective measures to address it;**

**(b) Improve access to social housing by, Travellers, Roma, people of African descent and migrants;**

**(c) Take effective measures to address any discrimination against Travellers and Roma in the private rental sector;**

**(d) Repeal the Housing (Miscellaneous Provisions) Act 2002 and place moratorium on evictions of Traveller accommodations;**

**(e) Increase the budget earmarked for Traveller accommodation to the levels before the financial crisis and ensure that all of the allocated budget is fully and effectively spent.**

**Education of minority children**

29. The Committee welcomes the enactment of the Education (Admissions to Schools) Act 2018, which repeals a provision that permits primary schools to use religion as a selection criterion. However, the Committee regrets the lack of information on the impact of this measure (arts. 5 and 7).

**30. Recognizing the intersectionality between ethnic and religious discrimination, the Committee recommends that the State party provide, in its next periodic report, information on the outcome of this measure. It also recommends that the State party monitor school admissions to ensure the full compliance by schools, encourage diversity and tolerance of other faiths and beliefs in the education system and monitor incidents of discrimination on the basis of belief.**

**Legislative and policy framework for Travellers and Roma**

31. While welcoming the recognition of Traveller as an ethnic minority by the Prime Minister in his statement in the House of Representative on 1 March 2017, the Committee is concerned that no legal act has followed the declaration of the Prime minister and their rights remain unclear. The Committee is also concerned that the State party has not yet developed concrete action plans or allocated sufficient budget to implement the National Traveller and Roma Inclusion Strategy 2017-2021 (art.5).

**32. The Committee recommends that the State party take legislative measures to formalise the recognition of Travellers as an official minority group, clarify the rights accorded to them and ensure that such rights are protected and promoted. It also recommends that the State party fully implement the National Traveller and Roma Inclusion Strategy 2017-2021, including by developing concrete actions plans with clear targets, indicators, outcomes, time frames and a budget line for the implementation and putting in place a mechanism to coordinate and monitor the implementation.**

### **Economic, social and cultural rights of Travellers and Roma**

33. The Committee is concerned about the challenges faced by Travellers and Roma in enjoying their economic, social and cultural rights, in particular:

- (a) The extremely high unemployment rates of Travellers and Roma and their continuing experience of discrimination in obtaining employment or in the workplace;
- (b) The disproportionately low levels of school enrolments, academic achievements and progression, at all levels of education system for Traveller and Roma students;
- (c) The very poor health conditions among Travellers and Roma;
- (d) The absence of Traveller history and culture in school curricula and textbooks (art.5).

**34. The Committee urges the State party to:**

- (a) Adopt effective measures with adequate level of resources to improve employment among Travellers and Roma;**
- (b) Publish the 2019 review of the Traveller Education Strategy and develop a new strategy on Traveller and Roma education with an adequate budget and concrete action plans;**
- (c) Adopt a targeted strategy and plans of action to address the poor health conditions of Traveller and Roma, particularly mental health;**
- (d) Expedite the adoption of the Traveller Culture and History in Education Bill 2018 to be in line with the Convention and relevant international human rights standards.**

### **Refugees, asylum seekers and stateless persons**

35. The Committee is concerned about:

- (a) The large backlog of applications for international protection and the excessive waiting time in the application process, despite a decreasing trend since the introduction of a single application procedure;
- (b) The lack of data, quantitative and qualitative, on refugees, beneficiaries of international protection, asylum seekers and stateless persons;
- (c) The absence of adequate mechanisms for identifying asylum seekers with special reception needs;
- (d) The absence of the procedure for the determination of statelessness;
- (e) The unnecessarily long waiting period (nine months) to be eligible to work;
- (f) The practical barriers for those who are granted to work in obtaining a job, including the remote location of direct provision centres without adequate public transport networks and the lack of employment and training services available (art.5).

**36. The Committee recommends that the State party:**

- (a) Expedite the processing of applications with a view to delivering the decision within six months;**
- (b) Implement the Data and Research Strategy 2018–2020 of the Department of Justice and Equality, and collect and report quantitative and qualitative data on refugees, beneficiaries of international protection, asylum seekers and stateless persons;**
- (c) Introduce a comprehensive vulnerability assessment mechanism for early identification of asylum seekers with special needs;**
- (d) Establish the procedure for the determination of statelessness;**
- (e) Reduce the waiting period for the application of a work permit;**

**(f) Remove barriers in obtaining a job, including by providing transport as well as employment and training services.**

#### **Direct Provision system**

37. The Committee is concerned at the continuous failure of the State party to provide adequate accommodation for asylum seekers despite its on-going efforts. It is particularly concerned about:

(a) The lengthy stay under the inadequate living conditions in direct provision centres and its significant impact on mental health and family life of asylum seekers;

(b) The operation of direct provision centres by private actors on a for-profit basis without proper regulation or accountability mechanisms;

(c) The extensive use of emergency accommodation for lengthy periods due to the capacity limit of direct provision centres and the housing crisis, the substandard living conditions of emergency accommodation and the lack of necessary services and support provided therein;

(d) The reported lack of transparency regarding the deaths of persons residing in these centres (art.5).

**38. The Committee urges the State party to develop an alternative reception model and take concrete steps to phase out the Direct Provision system. The Committee recommends, as interim measures, that the State party:**

**(a) Improve living conditions in direct provision centres and reduce the length of stay in the centres;**

**(b) Set up clear standards of reception conditions for direct provision centres; regulate and inspect the operation of direct provision centres; and hold those responsible accountable in case of breach of standards;**

**(c) Halt the emergency accommodation as soon as possible and develop a contingency planning framework with a view to effectively responding to capacity pressures;**

**(d) Ensure transparency regarding the deaths in direct provision centres and collect and publish data on the deaths in the centres.**

#### **Domestic violence, sexual and gender-based violence, and female genital mutilation**

39. The Committee is concerned that many migrant women victims of domestic violence whose residency status depends on their abusive spouses, particularly migrant women with irregular status, remain in abusive relationships due to the fear of being deported. It is also concerned about the high incidence of domestic, sexual and gender-based violence in direct provision centres. It is further concerned about the on-going practice of female genital mutilation and the ineffective enforcement of the Criminal Law (Female Genital Mutilation) Act 2012 (art. 5).

**40. Recalling its general recommendation No. 25 (2000) on gender-related dimensions of racial discrimination and general recommendation No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State party:**

**(a) Ensure that migrant women, who are victims of domestic violence, sexual and gender-based violence and female genital mutilation, are guaranteed a legal stay regardless their residence status until they recover and have the option to remain in the country if they so wish;**

**(b) Provide victims with necessary assistance and services, including shelters, and access to justice;**

**(c) Ensure that cases of such violence are investigated and prosecuted, perpetrators are punished, and victims are provided with effective remedies;**

**(d) Provide training police officers and immigration officers to be well equipped to deal with intersectional nature of domestic violence and sexual and gender-based violence experienced by migrant women;**

**(e) Fully enforce the Criminal Law (Female Genital Mutilation) Act 2012.**

### **Human Trafficking**

41. The Committee is concerned that there have been no convictions for the crime of human trafficking since the adoption of the Criminal Law (Human Trafficking) Act 2008. It is also concerned that the State party continues to fail to identify and protect victims of trafficking at the early stage due to the inadequate victim identification process and referral mechanism and that there is no statutory rights of victims of trafficking to protection and assistance. It regrets the lack of information on the implementation of the second National Action Plan to Prevent and Combat Human Trafficking in Ireland (2016) and on the cases of human trafficking (art.5).

**42. The Committee recommends that the State party intensify its efforts to prevent and combat human trafficking, in particular:**

**(a) Fully enforce the Criminal Law (Human Trafficking) Act 2008 with a view to facilitating the reporting of human trafficking, bringing perpetrators to justice and punishing them with sanctions commensurate with the gravity of their crime;**

**(b) Improve the victim identification process and referral mechanism;**

**(c) Enact legislation to provide victims of trafficking with rights to specialized assistance and legal protection regardless of their nationality or immigration status;**

**(d) Provide information, in its next periodic report, on the impact of the measures taken to combat human trafficking, including the 2016 National Action Plan, and detailed data on the cases of human trafficking.**

### **Legal aid**

43. The Committee is concerned about the lack of legal aid provided for appeals concerning social welfare, housing and eviction, which has a significant adverse impact on Travellers and other ethnic minority groups to claim their rights. It is also concerned about the absence of legal aid available for claims of racial discrimination under equality legislation brought before the Workplace Relations Commission, which results in non-equality of arms as respondents are mostly represented by legal counsels (arts.5, 6).

**44. The Committee recommends that the State party extend the scope of the Legal Aid Board to the areas of law that are particularly relevant to Traveller and other ethnic minority groups, including by designating the Social Welfare Appeals Office and Workplace Relations Commission as prescribed tribunals under Section 27(2)(b) of the Civil Legal Aid Act 1995.**

### **Access to licensed premises**

45. The Committee is concerned about the discriminatory refusal of entry to licensed premises such as bars, public houses and hotels experienced mainly by Travellers and Roma. While noting that discrimination in licensed premises are not under the purview of the Equality Status Acts 2000 to 2018 but that of the Intoxicating Liquor Act 2003 and therefore complaints of racial discrimination in the licensed premises cannot be brought before the Workplace Relations Commission but before district courts, the Committee is concerned that the complex court proceedings may effectively hinder Travellers and Roma from accessing justice and remedies for the racial discrimination they have experienced (arts. 5 and 6).

**46. The Committee recommends that the State party take necessary steps to ensure that the discrimination in licensed premises is covered by the Equality Status Acts 2000 to 2018 and complaints thereon are dealt by the Workplace Relations Commission with a view to enhancing the accessibility of minority groups to effective remedies.**

**Business and human rights**

47. The Committee is concerned that, despite the adoption of a national action plan on business and human rights, the operation of the Cerrejón mine complex in La Guajira, Colombia, whose headquarters is domiciled in Dublin and from which the State party has purchased coal for one of its power stations in County Clare, has been linked with serious abuse of human rights, particularly affecting people of African descent and indigenous peoples (arts. 5 and 6).

**48. While recalling the United Nations Guiding Principles on Business and Human Rights, the Committee recommends that the State party:**

- (a) Consider stopping purchasing coal from the Cerrejón mine complex;**
- (b) Lend its support to the initiation of an independent inquiry into the operation of the mine, and restitution and compensation for victims of displacement and other human rights abuses;**
- (c) Guarantee that the victims have access to effective remedies and compensation in Ireland;**
- (d) Adopt a regulatory framework that ensures that all companies domiciled in the State party or under its jurisdiction identify, prevent and address human rights abuses in their operations in Ireland or abroad and that such companies can be held liable for violations;**
- (e) Ensure the effective implementation of the National Action Plan on Business and Human Rights by all stakeholders.**

**Human Rights and equality training for public officials**

49. While noting the information provided by the State party, the Committee regrets the lack of detailed information on human rights and equality training, particularly relating to racial discrimination issues, provided for public officials, including the police and law enforcement officials as well as on the implementation of the duty by public bodies under Section 42 of the Irish Human Rights and Equality Commission (IHREC) Act (art.7).

**50. The Committee recommends that the State party strengthen human rights and equality training, particularly relating to racial discrimination issues, for police officers and fully implement Section 42 of the IHREC Act. It requests the State party to provide information in its next periodic report on the impact of Section 42 of the IHREC Act.**

**D. Other recommendations****Ratification of other treaties**

**51. Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**

**Amendment to article 8 of the Convention**

**52. The Committee recommends that the State party ratify the amendment to article 8 (6) of the Convention adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111.**

**Follow-up to the Durban Declaration and Programme of Action**

**53. In the light of its general recommendation No. 33 (2009) on the follow-up to the Durban Review Conference, the Committee recommends that, when implementing the**

Convention in its domestic legal order, the State party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

#### Consultations with civil society

54. The Committee recommends that the State party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

#### Dissemination of information

55. The Committee recommends that the State party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all State bodies entrusted with the implementation of the Convention, including provinces, publicized on the website of the Ministry of Foreign Affairs in the official and other commonly used languages, as appropriate.

#### Follow-up to the present concluding observations

56. In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 20 (b)(c), 22 (a)(e) and 44 above.

#### Paragraphs of particular importance

57. The Committee wishes to draw the attention of the State party to the particular importance of the recommendations contained in paragraphs 10, 14, 18 and 38 above and requests the State party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

#### Preparation of the next periodic report

58. The Committee recommends that the State party submit its combined 10<sup>th</sup> and 12<sup>th</sup> periodic reports, as a single document, by 28 January 2024, taking into account the reporting guidelines adopted by the Committee during its seventy-first session (CERD/C/2007/1) and addressing all the points raised in the present concluding observations. In the light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 21,200 words for periodic reports.