



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: CERD/81st/FU/GH/FM

31 August 2012

Excellency,

I wish to inform you that the Committee on the Elimination of All Forms of Racial Discrimination, in the course of its 81st session, considered the follow-up report submitted by the Government of Ireland, pursuant to Rule 65(1) of the Rules of Procedure of the Committee.

The Committee welcomes the timely submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 11, 12, 15 and 16 of the Concluding Observations (CERD/C/IRL/CO/3-4), adopted following the consideration of the State party's combined third and fourth periodic reports during its 78th session in March 2011.

The Committee appreciates the opportunity provided to continue its dialogue with the State party, and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its fifth to seventh periodic reports to be submitted in a single document by 28 January 2014.

Paragraph 11 of the Concluding Observations: The Committee thanks the State party for the information provided and requests more information about the merger of the Equality Authority and the Human Rights Commission, and the functions as well as financial resources to be allocated to this new body. The Committees would welcome further information on the role of the new body in promoting and protecting all human rights, including its role in addressing racial discrimination in light of the abolition of the Human Rights Commission.

His Excellency
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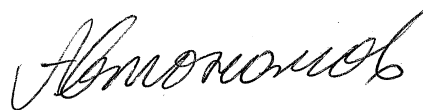
Paragraph 12 of the Concluding Observations: The Committee asks for further information on the national discussion regarding the ethnicity of Travellers and its prospective timeframe. The Committee recalls once again to the State party that the identification of individuals as belonging to particular racial or ethnic groups shall be based on self-identification by individuals concerned. The Committee reiterates its recommendation that the State party ensure that the Traveller community is fully involved in its efforts towards recognizing Travellers as an ethnic group. The Committee also encourages the State party to seek advice from the Office of the High Commissioner for Human Rights on this issue.

Paragraph 15 of the Concluding Observations: The Committee requests the State party to ensure that the new immigration law provides migrants with fundamental safeguards, including the right to appeal administrative decisions in courts. The Committee welcomes the passing of the Criminal Justice (Female Genital Mutilation) Bill prohibiting this harmful practice and allowing the prosecution of residents who commit this offence abroad. The Committee urges the State party to ensure that this law is in line with international human rights instruments. The Committee finally underscores, noting there have been new developments since the Research into Racism and the Criminal Law, the importance of amending the Prohibition of Incitement to Hatred Act of 1989 in order to include new forms of racism and incitement to hatred, including through the internet. The Committee also recalls the importance of reflecting the seriousness of racist elements in crimes through appropriate sentencing practices.

Paragraph 16 of the Concluding Observations: The Committee thanks the State party for the information provided.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Ireland, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.



Alexei Avtonomov
Chair
Committee on the Elimination of Racial Discrimination