



Many Voices One Country

Cherishing all the children of the nation equally

Towards an anti-racist Ireland

Sinn Féin policy review March 2001

Executive Summary — Racism in Ireland

As Ireland becomes a more multi-cultural country, the challenge is to embrace our growing diversity as a source of strength and opportunity. To do this we must begin by opposing racism, discrimination and intolerance of any kind wherever it occurs.

We all know that racism does not grow by accident. Everywhere it has taken hold it is because unscrupulous people in politics and other spheres of society have nurtured it for their own cynical interests. It is up to political leaders to make clear that they will not play party politics with the race issue and that they will not tolerate racism in any form in their party.

Sinn Féin believes that it is essential that we speak out and act against racism. This requires a multi-faceted response: politically, educationally and working with communities, and on an all-Ireland basis. Sinn Féin will continue to give political leadership on this issue.

Role of this document

This document outlines Sinn Féin's position on three distinct, though related, issues:-

Asylum seekers and refugee policy

Immigration policy

Anti-racism policy

Political leadership

Sinn Féin calls on all political parties in Ireland to sign an anti-racist pledge and make a commitment that they will not play party politics with the race issue and that they will not tolerate racism in any form in their party.

Education

Sinn Féin advocates the inclusion of anti-racism education as a component part of the national curriculum in primary and secondary schools throughout Ireland.

Immigration

Sinn Féin calls on the Irish Government to sign and ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families.

Sinn Féin calls for the establishment of a National Task Force on Immigration and Emigration to develop a national policy and a new Immigration Act.

Recruitment of immigrant workers should be done in conjunction with the Minister responsible for Overseas Development to ensure equality.

Asylum seekers

All asylum seekers who arrived in Ireland before January 1st 2001 should be granted an amnesty.

There should be an immediate end to forced dispersal and of issuing vouchers ("direct provision") to asylum seekers.

A special healthcare centre for the treatment of torture victims should be established in Ireland.

An immediate end to the practice of detaining asylum seekers in prison.

Anti-racism policy

The powers of the Employment Equality Act and the Equal Status Act should be strengthened.

Sinn Féin will campaign for the Irish Government to ratify the Convention of the Elimination of Racist Discrimination.

Sinn Féin calls on the Dublin Government to ratify Protocol 12 of the European Convention of Human Rights.

Sinn Féin advocates the establishment of a multi-agency task force with responsibility for the integration of immigrants. Membership should include statutory bodies, community groups and immigrant groups (for example, the Association of Refugees and Asylum Seekers in Ireland, African Refugee Network, etc).

Introduction

"Ireland is the only European nation ever to have been systematically colonised by one of the great colonising forces of Europe, which instituted in Ireland the same racist systems of native genocide, settler plantation, economic domination, and military repression as were instituted in other black, brown and yellow colonised territories."

Seán MacBride, Nobel Peace Prize winner and founder member of Amnesty International, 1981

The identification of the inter-play between colonialism and racism is crucial if efforts to

eradicate racism and embrace real equality are to have any prospect of success.

Racism is the outcome and the accomplice of an economic order at a regional, national, and international level. It is not a genetic trait or a viral contagion. People are socialised and educated to be racist, and the experience of colonialism and racism is no safeguard against the adoption of racist beliefs and practices.

Whilst Irish society might draw upon its own colonial experience to learn how to prevent racism, arguably the insinuation of the "slave mentality" into the fabric of Irish society renders Ireland more susceptible to institutionalised racism. Therefore, if racism is to be challenged, it is imperative that the effort to decolonise the socio-politico-economic fabric of Ireland is comprehensive. Then, modern Irish society may at last be ready to 'cherish all the children of the nation equally'.

Sinn Féin has a broad and inclusive vision of Ireland and Irishness in the 21st century. This vision is both national and international. We view racism as a product of colonialism and imperialism, as a violation of fundamental human rights. We abhor racism wherever it is fostered and practiced. Sinn Féin, in reaffirms its solidarity with those peoples and movements around the world who oppose racism and act to advance equality.

This document draws together Sinn Féin's position on three distinct, though related, issues:-

1. Refugee policy;
2. Immigration policy;
3. Anti-racism policy.

These three distinct areas need to be addressed through legislation, education and work with communities.

Political leadership

Sinn Féin will continue to give political leadership in the fight against racism nationally and internationally. Sinn Féin believes that the fulfilment of that responsibility requires active campaigning to oppose racism from wherever it emanates. Our representatives in Leinster House, in the legislative Assembly in the Six Counties, and

in local councils throughout Ireland will work with the community in the fight against racism.

Sinn Féin calls on all political parties in Ireland to sign an anti-racist pledge and make a commitment that they will not play party politics with the race issue and that they will not tolerate racism in any form in their party.

We recommend that the Equality Authority, the Equality Commission and the two human rights commissions be invited to draw up guidelines to prevent minority ethnic groups becoming a political football. This would avoid the offensive and racist attacks on refugees and Travellers that have emanated from some representatives of different parties during elections and in the media.

Education

Sinn Féin advocates that anti-racism education becomes a component part of the national curriculum in primary and secondary schools throughout Ireland. In this way, anti-racism education will be mainstreamed and the involvement of those who become victims of racism in the design and delivery of this anti-racism education is critical to its effectiveness. In addition, inter-culturalism should become a cross-curricular theme for all schools, and be incorporated into the training of student teachers and youth workers.

Working hand in hand with the community

Sinn Féin believes that the challenge to racism must be built at a community level. Whether racism exists institutionally or attitudinally, racism afflicts human beings, and represents a violation of fundamental human rights. The challenge to racism needs to have local communities to the forefront in actively campaigning to advance the equality agenda.

Sinn Féin proposes that such anti-racism activism at a community level would best be served by the establishment of a national anti-racism network, to develop policy, co-ordinate community activity and liaise on a cross-sectoral basis. Already, some non-governmental organisations have begun to lay the foundations for such a network. Now, Sinn Féin believes that the governments in Dublin and

London must materially support the establishment of an all-Ireland anti-racism network.

All-Ireland approach

Sinn Féin will campaign vigorously for the integration of anti-racist institutions and legislation on a 32-county basis. The National Committee on Racism and Interculturalism in Ireland, a standing committee established by the Department of Justice, will become an integrated, 32-County organisation. The Equality Authority in the 26 Counties will be integrated formally with the Equality Commission in the Six Counties.

Resourcing minority ethnic groups and projects

Sinn Féin recognises that there is a specific need to resource the work of minority ethnic Non Governmental Organisations as well as anti-racist organisations. Sinn Féin will campaign for increased resources to be made available by governments to resource these sectors. Experience has shown that the real experts are those most effected by the situation - in this case immigrants and asylum seekers themselves.

Trade Unions

The labour movement has had a long and proud tradition in promoting workers rights in Ireland. The emergence of a multi-cultural Ireland provides new challenges for trade unionists. Trade unions have an important role to play in combating racism and in the promotion of multi-culturalism in the workplace and in the wider public arena. Trade unions need to provide multi-cultural training for their officials and need to encourage similar training to those in the work place. Any task force on integration of immigrants needs to include representation from ICTU.

Racism and the EU

The legacy of colonialism

Colonisation and its legacy are important dynamics in the promotion and perpetuation of racism. The colonisation practiced by a handful of countries,

over many centuries, has left a lasting impression on our lives. The borders and partitions, the 'famines' and wars which continue across the globe are a testimony to the enduring effect of imperialism upon the living conditions of many millions of people. At the beginning of the 21st Century, Eastern Europe, the Middle East, Australasia, Central America and Africa all bear witness to the legacy of Western European and North American powers which even now strive to maintain their political and economic domination of other nations.

Protectionism in the EU

The concept of 'Fortress Europe' has led to a wave of protectionist and draconian measures aimed at preventing the migration of peoples from the very same countries Europe's colonial powers have and continue to exploit and destabilise.

This protectionist tendency has already heralded the Schengen Agreement (1985) which sought to abolish internal borders with the European Union while reinforcing external borders for most of the EU. That agreement also attempted to regulate control of asylum-seekers, with the creation of the Schengen Information System (SIS) to monitor "suspicious persons" and sought to ensure that refusal to one EU member state would result in a refusal to every other EU state.

This provision on asylum was widened to cover all of the European Union through the Dublin Convention. This policy and legislative framework, embracing all EU states, has evolved in a inherently racist way:

"The combined effect of all the measures and agreements... will be to keep Europe's immigrant, migrant, refugee and black communities in thrall, unfree, more controlled and policed than ever before.. The agreements... are the product of a profoundly racist Europe - a Europe which is preparing to expand its borders to take in Scandinavia and the more Westernised Eastern European populations, and which is simultaneously setting its face against the migrants and refugees and settled black communities who have created its wealth and sustained its economy since the last war.

And it is no coincidence that countries such as Italy,

which did not experience racial attacks on its North African workers, began to see vicious attacks at the time when its government began imposing immigration restrictions.

"Unlike wealth, racism does 'trickle down' from the top, and when governments define peoples as unwelcome and undesirable, their populations follow."

- Refugee Forum, 1991.

Immigration Policy

Migrants are people who move voluntarily from one country to another to live and work.

Emigrants are people who leave Ireland to live and work elsewhere.

Immigrants are people who come from outside Ireland to live and work here. At present, most of these are returning Irish emigrants. Most of the rest are citizens of the EU. Most of the non-EU immigrants are from the USA. So only a tiny fraction of all immigrants are from Eastern Europe or Africa. In other words, only a tiny fraction is made up of 'people of colour' or minority ethnic people. An even smaller fraction of this group is undocumented persons or 'illegal immigrants'.

Yet when racist politicians talk about asylum seekers, refugees or immigrants they are using these words as a code for 'black and minority ethnic people'. When they talk of immigrants they often use this as a code for undocumented persons. The experience of Irish people as undocumented persons in the USA should sensitise politicians in Ireland against labelling people as illegal immigrants. This term is helpful to neither immigrants nor people of colour nor undocumented persons. It does nothing to address their situation or the experiences that encouraged them or forced them to come to Ireland.

The way forward

Sinn Féin, in is committed to establishing a National Task Force on Immigration and Emigration to develop a national policy and a new Immigration Act. Sinn Féin, in recognises that the people of the Irish Diaspora - forced out of Ireland by the failed political and economic policies of successive

governments, north and south of the border - are central to any new immigration policy. It has been estimated that between 50 per cent and 80 per cent of all new immigrants will be returned emigrants.

Without prejudging the work of the National Task Force on Immigration and Emigration, it is clear that there will be certain elements that will be integral to this new immigration policy. Sinn Féin, in recognises the important work of the Irish Commission for Justice and Peace in its document, First Notes Towards a Comprehensive Irish Immigration Policy. Its commitment to a "humane, transparent and sustainable immigration policy" is a useful and proper starting point for a developed, integrated and principled position on immigration. Its recognition of three core categories of immigrant is also useful:-

1. People coming for economic reasons;
2. People admitted on humanitarian grounds (this remains separate from asylum seekers and refugees, of course);
3. People admitted on the grounds of family reunion.

Movement within the EU

There is also a huge amount of confusion around the meaning of the term migrants and the rights of migrants. Sovereignty on this issue has been pooled with other countries in the EU or more technically with the European Economic Area (EEA). There can be absolute limits on the immigration of non-EU nationals but not on EU nationals. In other words, the entire European Union population of 3.75 million people already has the right to emigrate to/reside in Ireland and roughly 3.7 million of them are not Irish - and nothing can be done about this short of withdrawal from the EU.

Thus, national immigration policy only really concerns countries outside of the European Union. In this context, immigration policy is made now in the contradictory contexts of a recognised need for more migrant labour and a rising anti-immigrant racism (often articulated around refugees but focused more broadly on 'foreigners', especially migrant labour of all descriptions).

The key issues in terms of this dimension of immigration and immigrants are:-

- a) How many people are needed to meet the shortfall in the labour market?
- b) How many people can be integrated effectively with adequate support and resourcing?

It is also important that migrant labour is not used cynically to undermine terms and conditions in current employment.

Allowing asylum seekers to work will address some of the immediate labour shortage questions. It will not, however, address the more principled question of how to support these people - in terms of accommodation, use of Irish/English, other integration measures and so on. This needs to be addressed and resourced and (at the time of writing) there is no statutory body with responsibility for the integration of immigrants, largely because this is a new issue for Irish society.

Immigration policy

Sinn Féin recognises the need for an Irish Immigration Policy that is fair and grounded in the best practices of Féinéinternational human rights. What there is in the 26 Counties at present is a draconian anti-immigration act masquerading as an Immigration Act to keep potential migrants out of Ireland.

Sinn Féin, in recognises that the question of immigration is both emotive and complex.

* We call on the Irish Government to engage in urgent dialogue with immigrant organisations;

* And for the authorities to make immigration legislation presently being drafted open to public scrutiny and subordinate to humanitarian considerations.

Growth in the economy

The consultative forum on racism and interculturalism estimated that there would be a need for 200,000 immigrants in the period up to the year 2006 to maintain the growth in the economy envisaged in the National Development Plan.

Sinn Féin believes:-

a) The entry process should be simplified;

b) The recruitment of immigrant workers should be tied to the work of the Minister responsible for Overseas Development to ensure that potential immigrants from both developing nations and countries of greatest need are given equality in terms of immigrant numbers.

International convention protecting migrant workers and their families

Sinn Féin urges the Irish Government to sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families Adopted by UN General Assembly resolution 45/158 of 18 December 1990. This convention was adopted in 1990 but will not come into force until it is ratified by 20 member states. We recognise our international obligation to protect the rights of migrant workers.

Refugees and asylum seekers policy

Asylum seekers are people who come to Ireland seeking refugee status because of persecution and oppression; if they are successful, they become recognised as refugees.

There can be no limit on the number of asylum seekers under the UN Convention on the Status of Refugees and its 1967 Protocol because of internationally-agreed human rights protections and standards. No political party is advocating withdrawal from the Convention, so anyone who makes political capital out of a desire to limit numbers of refugees is advocating a violation of human rights.

Therefore policy on asylum seekers and refugees is primarily about their treatment, not their right to exist or their numbers.

Sinn Féin recognises the specific responsibility of Ireland and Irish people to defend and extend the rights of asylum seekers and refugees. Irish

people, as a direct consequence of their own experience of colonialism and human rights abuses, have an empathy with other people in similar situations. Millions of Irish people were forced to leave Ireland - some as refugees, some as what would now be called 'economic migrants' and 'illegal immigrants' - to find asylum and hope in other countries such as the USA and Australia. We cannot ignore the legacy of this history and the specific obligation it places us under to contemporary asylum seekers and refugees.

Amnesty - not deportations

There have also been a series of administrative failures concerning refugees and these need to be recognised and corrected.

In the light of these failures and shortcomings, Sinn Féin supports the call of Peter Finlay SC, the longest serving of five Irish Government-appointed lawyers in the Independent Appeals Authority, for an amnesty instead of deportations. All asylum seekers who arrived in Ireland before January 1st 2001 should be granted an amnesty.

Fair and efficient procedures must be devised to expedite all applications since that date.

Rights of asylum seekers - The appeal process

Sinn Féin recognises the problems with contemporary procedures identified in recent research by the Irish Refugee Council and recommends adoption of their suggested changes to procedure. In particular, there have been inadequate protections afforded asylum-seekers during the appeals process - including the right to an interpreter, the right to a full interview, and the need for interviewers to be properly qualified and trained and have adequate information about the countries of origin.

Integration

Integration does not mean assimilation or indoctrination. Refugees and asylum seekers must not have to trade off their native culture and traditions in return for equal participation in Irish society. Sinn Féin notes the definition of integration adopted by the Inter-Departmental Working Group

on Integration in Ireland:

"Integration means the ability to participate to the extent that a person needs and wishes in all of the major components of society without having to relinquish his or her own cultural identity."

Refugee policy in Ireland must be developed in the context of the 1951 Convention on the Status of Refugees and its 1967 Protocol. Government must work closely with the United Nations High Commission for Refugees (UNHCR) as well as the key NGOs and community organisations to ensure refugees are quickly and effectively integrated into Irish society.

Working hand in hand with the community

Sinn Féin also recognises the tensions and difficulties that arise from large numbers of asylum seekers being 'dumped' in particular areas, often the poorest and least resourced working-class areas of Dublin or small and under-resourced rural communities. Community concern is sometimes dismissed as racism but there are other more complex dimensions to this. In particular, communities that saw their own children forced to emigrate, have been hit by the irresponsible press coverage.

Resources

Sinn Féin believes that all integration programmes must be properly resourced. This means money being made available to both refugees and host communities.

The integration of refugees across Ireland is important, but this should not be regarded as 'dispersal' and it must be done in full consultation with refugees and host communities. As well as being fully resourced, integration programmes must be designed by the respective refugees and host communities. Programmes should promote mutual respect, awareness, and provide advice to those who wish to avail of it.

Right to vote

Ultimately, since acquiring citizenship in one's host country facilitates integration, it is incumbent on the

state, under Article 34 of the UN Convention (1951) to "... make every effort to expedite naturalisation proceedings [of refugees] and to reduce as far as possible the charges and costs of such proceedings". It follows that the democratic franchise must be extended to all, and, in agreement with refugees and their respective NGOs, provision must be made by the state to afford this fundamental right to vote to refugees, to permit full integration and active participation in Irish society.

Women's experience as refugees

Sinn Féin endorses the analysis by the Irish Council for Civil Liberties of women's experience as refugees, Women and the Refugee Experience - Towards a Statement of Best Practice, and endorses its recommendations:

"Women's experiences of 'refugee-hood' differ significantly from those of their male counterparts, and refugee women as a group are often rendered invisible. Discussions tend to centre on the male experience of persecution. It is essential that the Government's refugee policy and the wider community take those differences into account." - ICCL Women's Committee, June 2000

26 Counties

The recent work of the Irish Government has been broadly supported by the UNHCR and, where appropriate, credit should be given to new initiatives. There is every reason for supporting consensus-building on refugee policy and a commitment to avoid people and parties making political capital out of racism.

26-County Immigration Act (2000)

The Immigration Act (2000) combines provisions for the Minister for Justice to deport foreign nationals, - previously denied by the Supreme Court Laurentiu ruling - with the enactment of the amended Refugee Act (1996). Both pieces of legislation are now combined into a single act, the Immigration Act.

While groups campaigning on behalf of refugees and asylum-seekers have welcomed the fact that

the act places asylum procedures on a statutory footing, concern has been expressed that the legislation places asylum law under the remit of an immigration act:

"The Irish Refugee Council (IRC) is of the view that it is inappropriate to legislate for asylum procedures in an immigration bill. We are of the opinion that immigration is an entirely separate issue from asylum. The IRC believes that there is enormous public confusion between immigration and asylum already. This is bound to be further compounded by the fact that the two issues are being dealt with in a single bill."

Sinn Féin supports this view and recommends that the legislation is amended to reflect the concerns expressed by the Irish Refugee Council.

Sinn Féin viewed with dismay the proposal by the Irish Government in autumn 2000 to fingerprint asylum-seekers. If this comes into practice, it will further stigmatise asylum-seekers and is an infringement of rights that is unnecessary in a fair and efficient process.

Support services for refugees

As pointed out in recent comparative studies of refugee law in Europe, there is a need for special psychological counselling services for refugees in Ireland similar to those which exist in most other EU countries for detained asylum seekers.

Ireland also requires a special healthcare centre for the treatment of torture victims which already exists in ten other EU states.

The report finds Ireland's provisions for housing asylum seekers compare positively with those of other countries in the European Union. Only two other EU states provide emergency housing, rent allowances, and deposits. Most other EU states house asylum seekers in reception centres.

Linked to the use of reception centres is the provision of food, lodgings and daily expenses for asylum-seekers during initial phases of the procedure. However, the report highlighted that the practice in Britain of giving vouchers instead of cash to asylum seekers in their own accommodation (euphemistically described as 'direct provision'). The current policy of forced dispersal and the issuing of vouchers to asylum

seekers should cease immediately. Both practices only serve to reinforce negative imagery of people arriving in Ireland seeking handouts and charity. Asylum seekers should be consulted with and housed where resources when resources are already in place so that their needs can be catered for. This will also ensure that local communities are prepared to welcome their new neighbours.

Six Counties

The Immigration and Asylum Bill 1999, was condemned by the Human Rights Commission in the Six Counties on the grounds that the provisions of that Bill for detention of asylum seekers and for regulating provisions of support to asylum seekers fail to comply with the Human Rights Act (1998) and international human rights standards.

There are between 400 and 500 asylum seekers whose claims are dealt with in the Six Counties each year, with approximately 15 per cent of these asylum seekers being detained. Detention for asylum seekers in the Six Counties means:-

- a) For men, confinement to Magilligan Prison along with sentenced prisoners;
- b) And for women, detention on a remand wing at Maghaberry Prison.

This form of detention in prison is not practiced by the British Home Office anywhere in Britain and has been roundly condemned by the UNHCR.

The introduction of the a voucher system (described euphemistically as 'direct provision' by the British Government under the Immigration and Asylum Bill, 1999) puts it once more out of step with best practice in Europe, and should be abandoned to enable refugees and asylum seekers to obtain cash income.

The negative experience of asylum seekers who have claimed refugee status in the 26 Counties is compounded by the policies of the British Home Office when they enter the Six Counties. If stopped without a visa for entry into Britain, the policy of the British Home Office is to arrest such individuals as illegal entrants. The procedure for the return of such individuals to the 26 Counties can take up to two months, during which time they are held in jail. Such an experience can all too readily and harmfully exacerbate the experience of asylum

seekers in Ireland. The Dublin Convention is the legislation governing this procedure and takes no account at present of the vagaries of the British Home Office.

Sinn Féin recommends the amendment of the Dublin Convention to make special provision for the experience of asylum seekers detained in such circumstances by the British Home Office and to expedite their release from custody.

Ireland and the United Nations

It must also be recognised that no one wants to be an asylum seeker (nor indeed an economic migrant or an undocumented worker). The issue of refugees needs to be tackled at source - governments that abuse and violate human rights, governments that sell arms to other governments to do the same, poverty, hunger and inequality.

If the Irish nation is serious about helping refugees then we need to ensure that they do not become refugees in the first place.

Ireland must play a more proactive role in ensuring that the international community acts firmly to discourage and prevent human rights abuses taking place. This places a particular onus on the Irish Government in its new role on the UN Security Council. We believe that this position should be used to deliver a radical agenda for change and to pursue a progressive foreign policy strategy. This includes a complete overhaul of the Security Council and the replacement of the five permanent positions with a democratic executive with representatives from each of the five continents.

Anti-racism policies

Travellers

The source of racism must not be reduced to the attitudes of individuals alone. Institutional racism against Travellers, black people and ethnic minorities is as prevalent and as insidious as the attitudinal racism at large in many sections of the population of Ireland.

Sinn Féin, in recognises racism, whether it is institutional or attitudinal racism, to be a violation of

human rights. Furthermore, racism is inimical to socialist republican beliefs. Therefore, as socialist republicans we must be to the fore in combating racism.

Sinn Féin, in insists that recognition of the problem of 'new racism' in Ireland should not cloud the continued failure to provide Irish Travellers with any semblance of equality. Despite governmental commitments to promote equality, the experience of Irish Travellers is one characterised, in numerous ways, by gross inequality. An analysis and sensitivity to the specificity of anti-Traveller racism will be central to all anti-racist policies.

Anti-Irish racism in Britain

Sinn Féin's resolute opposition to racism is in the context of the experience by many Irish people of anti-Irish racism. Sinn Féin will campaign vigorously to encourage the Irish Government, and other governments - especially the British Government - to assume their responsibilities for addressing continuing anti-Irish racism in Britain.

Sectarianism

Sinn Féin also believes that sectarianism in Ireland is best seen within the context of wider analysis of, and moves to address, racism in Ireland.

As colonialism has used racism as a device to divide and conquer many nations, so sectarianism in Ireland has always served British colonial interests. Therefore, the issue of religious equality in Ireland should be integrated into broader projects against racism and promoting racial equality. This includes addressing violence against Protestants and Catholics, inequality between Protestants and Catholics, and equality proofing for Protestants and Catholics.

The broader acceptance of the reality and severity of anti-Irish racism makes this project easier to achieve. If the Commission for Racial Equality in Britain can work proactively to address anti-Irish racism in Britain, there is no reason for the equality agencies in the north and south not to address it with equal vigour. Clearly it makes little sense to suggest that someone is demonstrating anti-Irish racism when they write 'Kill All Irish' on a wall but that they somehow shift to another dimension when they write 'Kill All Taigs' beside it. Intervention

to address and reduce this kind of sectarianism should be integrated into the broader project to address racism in Ireland.

Tackling Discrimination

26-County Legislation

Sinn Féin welcomes the advent of the Employment Equality Act and the Equal Status Act. It recognises that these have been major advances in the struggle against racism in the 26 Counties. It is clear, however, that the powers of the Equality Authority will need to be strengthened. It is especially important an effective legal mechanism to support legal intervention be created.

Sinn Féin calls upon the Irish Government to ratify Protocol 12 of the European Convention of Human Rights.

Sinn Féin will campaign for the Irish Government to ratify the Convention on the Elimination of Racist Discrimination (CERD). It will also campaign for the adoption of Optional Protocol 9, under Article 14, which allows the right of individual petition to CERD.

Sinn Féin welcomes the directive under Article 13 issued by the European Council, in June 2000, requiring the upward enhancement of the anti-racist protections and provisions of EU member states by 2003. The onus is now upon the Irish and British governments to fully and speedily comply with this directive.

Six-County legislation

Sinn Féin notes the provision under Section 75 of the Northern Ireland (1998) Act, for the promotion of equality of opportunity between designated groups of people. It is incumbent on the British Government to ensure that compliance with this statutory duty to promote race equality encompasses all public bodies in the Six Counties. The Equality Commission must demonstrate the robustness of the present legislation to correct existing inequalities between people, irrespective of race or ethnic origin.

Sinn Féin has challenged the discriminatory

practices of the Civil Service in the Six Counties. The nationality requirements of the Civil Service have been designed and used to discriminate against Irish nationals seeking employment in the civil service and in public bodies in the Six Counties. The failure by the British Government to stop this discrimination is wholly inconsistent with the provisions of the Good Friday Agreement, and represents institutionalised racism sponsored by the British Government and practiced in the Six Counties.

Incitement to hatred

Sinn Féin will campaign for a strengthening of hate speech legislation.

In particular, the Prohibition of Incitement to Hatred Act (1989) must be strengthened in order to make it more effective. Outbursts of hate speech against disabled people and Travellers that have occurred periodically cannot be allowed to continue un sanctioned.

In the Six Counties, the incitement to hatred legislation that has been in force since 1970 has rarely been used to prosecute anyone for incitement to racial hatred. There is clearly a need to revise and strengthen this legislation and ensure that it is applied when appropriate.

Hate crime

There is also a case for the adoption of hate crime legislation. Where violence is motivated by racial hatred, this in itself gives cause for an increased sentence.

Appendix I: Charter of European political parties for a non-racist society

We, the democratic political parties of Europe,

Having regard to the international human rights instruments signed and ratified by European member states, in particular to the United Nations Convention on the Elimination of All Forms of Racial Discrimination,

Having regard to Article 1 of this Convention, which defines racial discrimination as any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life,

Having regard to the preamble to the Single European Act in which the member states of the European Community declare to work together to promote democracy on the basis of the fundamental rights recognised in the constitutions and laws of the member states, in the European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Social Charter,

Having regard to the Treaty of Amsterdam which enables the European Community to "... take appropriate action to combat discrimination based on.... racial or ethnic origin, religion or belief..." and facilitates police and judicial co-operation in the framework of the European Union in preventing and combating racism and xenophobia,

Recognising that the fundamental rights as enshrined in the international human rights instruments signed and ratified by the EU member states include the right to free and uninhibited political speech and debate,

Mindful that according to these same international human rights instruments, one's political freedoms are not absolute in view of the equally fundamental right to be protected against racial discrimination and that therefore political freedoms cannot be allowed to be abused, to exploit, cause or initiate

prejudice on the grounds of race, colour, ethnic origin or nationality or for the purpose of seeking to gain the sympathy of the electorate for prejudice on such grounds,

Being aware of the special tasks and responsibilities of political parties as actors in a democratic political process, defending, articulating and bearing witness to the basic principles of a democratic society; providing a platform for discussion on issues where there may be difference of opinion, integrating different views into the process of political decision making, thereby enabling society to solve conflicts of interest and of opinion between various social groups rather than through opting out and conflict; selecting representatives at various levels for participation in the political process,

Convinced that free use of one's political rights can and must go hand in hand with firmly upholding the principle of non-discrimination and is inherent in the democratic process itself,

Being convinced furthermore that representation of ethnic minority groups in the political process is properly an integral part of the democratic process, since political parties are or should strive to be a reflection of society,

Commit ourselves to adhere to the following specific principles of good practice:

To defend basic human rights and democratic principles and to reject all forms of racist violence, incitement to racial hatred and harassment and any form of racial discrimination;

To refuse to display, to publish or to have published, to distribute or to endorse in any way views and positions which stir up or invite, or may reasonably be expected to stir up or to invite prejudices, hostility or division between people of different ethnic or national origins or religious beliefs, and to deal firmly with any racist sentiments and behaviour within its own ranks;

To deal responsibly and fairly with sensitive topics relating to such groups and to avoid their stigmatisation.

To refrain from any form of political alliance or co-operation at all levels with any political party that incites;

To strive for the fair representation of the above-mentioned groups at all levels of the parties with special representation for the party leadership to stimulate and support the recruitment of candidates from these groups for political functions as well as membership;

And further pledge to take appropriate action to ensure that all persons who work or associate themselves in any way with any of our election campaigns or other activities will be aware of an at all times act in accordance with the above principles.

(28 February, 1998, Utrecht)

endorsed by Sinn Féin

Bibliography

A Code of Good Practice: Political parties and non-discrimination - report of a European Conference, Utrecht, 26-28 February 1998

Connolly, P., & Keenan, M., (February 2000), "Racial attitudes and prejudice in Northern Ireland", Belfast: NISRA

Connolly, P., & Keenan, M., (August 2000), "Opportunities for all : minority ethnic people's experiences of education, training and employment in Northern Ireland", Belfast: NISRA

CRD,(1997), "Minority ethnic groups and racism", CRD north - south factsheet series, no.5, Belfast: Centre for Research and Documentation

Cullen, P.,(2000) "Refugees and asylum-seekers in Ireland", Ireland: Cork University Press.

Fanon, F, (1969), "The wretched of the earth", Harmondsworth: Penguin

Galvin, T., (January 1999), "True colours", in Frontline - Social Law Quarterly, no.31.

Haughey, N., (04/12/1999), "Lawyers calls the asylum process a "travesty"", in The Irish Times.

Irish Council for Civil Liberties Women's Committee,(June 2000), "Women and the refugee experience : towards a statement of best practice", Dublin: ICCL Women's Committee

Kirby, P., (1981), "Minorities in Ireland: an interview with Sean MacBride", Crane Bag, vol.5, no.1, (special issue on ethnic minorities)

Mann-Kler, D.,(1997), "Out of the shadows: an action research report into families, racism and exclusion in Northern Ireland", published by Barnardos et al.

McVeigh, R., (1996), "Racism and anti-racism in Ireland: the racialisation of Irishness", Belfast: Centre for Research and Documentation

Northern Ireland Council for Ethnic Minorities, 1999-2000, Annual Report, Belfast: NICEM

Refugee Forum, (1991), "The walls of the fortress: European agreement against immigrants, migrants and refugees", London: Refugee Forum

Tennant, V., (October 2000),"Sanctuary in a cell : the detention of asylum-seekers in Northern Ireland", Belfast: Law Centre