



Rights News

Autumn 2006

Equality for All
Families

ICCL celebrates
30 Years

SPECIAL FEATURE
Morris Reports:
Human Rights Must
Underpin Garda Reform



Irish Council for
Civil Liberties

About the ICCL

The Irish Council for Civil Liberties (ICCL) is Ireland's leading independent human rights watchdog, which monitors, educates and campaigns in order to secure full enjoyment of human rights for everyone.

Founded in 1976 by Mary Robinson and others, the ICCL has played a leading role in some of the most successful human rights campaigns in Ireland. These have included establishing an independent Garda Ombudsman Commission, legalising the right to divorce, securing more effective protection of children's rights, decriminalising homosexuality and the introduction of enhanced equality legislation.

We believe in a society which protects and promotes human rights, justice and equality.

What we do

- Lobby Government for positive changes in the area of human rights.
- Monitor Government policy and legislation to make sure that it complies with international standards.
- Conduct original research and publish reports on issues as diverse as equal rights for all families, the right to privacy, police reform and judicial accountability.

Message from the Director

Welcome to Rights News. Our newsletter is aimed at keeping you, our supporters and friends, informed about the latest news and developments at the Irish Council for Civil Liberties (ICCL), Ireland's leading non-governmental human rights watchdog.

2006 is our 30th Anniversary, which we are marking with a series of events, as well as by the appointment of a new communications and fundraising team and a move to new offices.

We have embarked on a number of high profile campaigns on Garda reform, securing equality for all families and countering rendition flights and illegal detentions. We hope that this newsletter will give you a snapshot of the range of work that we do to help secure full enjoyment of human rights for everyone in Ireland.

In July, the recommendations from the Barr Report on the fatal shooting of John McCarthy in Abbeylara were made public and this was followed in August by three further reports from the Morris Tribunal on Garda misconduct in Donegal. Campaigning for a fully accountable and human rights compliant police service is one of core pillars of work for

the ICCL and we will continue to call on the Government and the Garda Commissioner to ensure that human rights principles underpin Garda reform. However we also have a policy of constructive engagement with the Garda Síochána, which includes providing advice through membership of the Garda Strategic Human Rights Advisory Committee, and delivering human rights training to senior Garda Managers.

Raising awareness of human rights issues is another important strand of our work and our campaign on rendition seeks to ensure that the Government will deliver its promise to protect Ireland from colluding in rendition, illegal detention and the outsourcing of torture.

The ICCL is needed as much today as it was in 1976 and will continue to be involved in the process of developing Ireland into a mature, fully functioning democracy where the human rights of everyone are fully upheld and reflected in its laws, policies and practices.

I hope you will continue to be inspired by the work we do and I thank you sincerely for all your support.

- Run campaigns to raise public and political awareness of human rights, justice and equality issues.
- Work closely with other key stakeholders in the human rights, justice and equality sectors.

How you can help

You can help us continue our work to monitor, train, conduct research, campaign and lobby for changes in legislation to ensure our rights are protected and promoted.

Please visit our website, www.iccl.ie, or phone us on 01 799 4504 to make a donation to the ICCL today.

Contact us

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Mark Kelly
Director

30 Years of Protecting & Promoting Human Rights

Shami Chakrabarti, Director of Liberty (UK) and Mark Kelly, the new ICCL Director, launched the 30th Anniversary Celebrations in the Mansion House in Dublin on 11 May 2006. This was followed by a public lecture and reception in the Law Library later that evening.

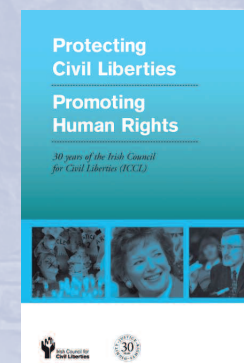
Speaking at the launch Shami, a leading expert on human rights and anti-terrorism laws, said that recent experience in the United Kingdom had shown that it is never safe to assume that governments will continue to protect our fundamental human rights and freedoms. "So far, Ireland has been spared the more flagrant attacks on human rights that we have witnessed in the UK; however, none of us can afford to be complacent about the future."

Shami said that she was delighted to celebrate the ICCL's 30th anniversary of campaigning and advocacy, adding that the need for a truly independent voice such as that of the ICCL is now greater than ever. After the launch, Shami was interviewed on the Today with Pat Kenny Show on RTE and you can download this interview on our website – www.iccl.ie.

Over 120 people attended Shami's lecture on "Rights, Freedom and Terror" in the Law Library. The text of Shami's lecture is available on our website – www.iccl.ie. The lecture was followed by a reception to introduce "Protecting Civil Liberties, Promoting Human Rights" a book written by Irish Times journalist Carl O'Brien, which charts the 30 year history of the ICCL. Carl was available on the night to sign copies of his book.

International Conference on Human Rights

As part of its 30th Anniversary Celebrations, the ICCL will host an international conference at Dublin Castle on 5 December 2006. The conference will examine the contribution of civil society to the protection and promotion of human rights. This event will include a keynote address by Nobel Peace Prize Winner, Shirin Ebadi, and will replace our annual lecture. We look forward to seeing members at this event and will be in touch in due course with a full conference programme.



Protecting Civil Liberties, Promoting Human Rights is available for sale for €5.95 from the ICCL, 9-13 Blackhall Place, Dublin 7.



Shami Chakrabarti speaking at the ICCL's Law Library Lecture

5 things you may not know about Shami Chakrabarti

1. Nominated for Channel 4 News' Most Inspiring Political Figure of the year (2006), Shami took second place after Jamie Oliver, beating Tony Blair, David Cameron, George Galloway and Sir Bob Geldof.
2. She came fifth in the Observer Newspaper Best-Dressed Brains list 2006. Other nominees included Zadie Smith (winner), Ségolène Royale (2), Condoleezza Rice (3) and Maureen Dowd (4).
3. In December 2005 a BBC Radio 4 poll of listeners placed Shami within the Top 10 list of where the power really lies in Britain. Nominees included poll winner José Manuel Barroso, Tony Blair and Gordon Brown.
4. In 2005, UK band the Dastards recorded a tribute single 'Shami Chakrabarti.' It includes the line 'I turn on my TV: The only one I want to see is Shami Chakrabarti.'
5. Shami joined Liberty on 10 September 2001, 24 hours before the 9/11 attacks on the US.



Photo: Photocall Ireland

Human Rights Must Underpin Garda Reform



The Morris Reports show the Garda need more significant reforms than those already proposed, writes Mark Kelly.

In August 2006, the Morris Tribunal of Inquiry publicly stated that it “has been staggered by the amount of indiscipline and insubordination it has found in the Garda force”.

The Tribunal has spent more than four years meticulously investigating a number of Garda investigations, arrests and detentions in Donegal between October 1996 and May 1999. Amongst its findings are that Garda members “casually” engaged an undercover civilian agent “without making a single note about the matter and without Garda management authority”, and that arrests for placing an explosive device on a telecommunications mast at Ardara were “based upon a false premise”, namely the “wrongdoing” of a Garda Detective Sergeant, John White. The Tribunal also found that, in order to secure the arrest of seven members of the Irish Traveller

community, the same officer “planted a very old double-barrelled sawn-off shotgun, together with clothes and cartridges, at the Travellers’ encampment at Burnfoot”.

Mr Justice Morris went out of his way to emphasise that there is a need to do far more than tackle the historical misconduct of the Gardaí identified in his reports. He stressed that “it cannot be said that they are unrepresentative or an aberration from the generality. All of them were trained as Gardaí and served under a uniform structure of administration and discipline that is standardised throughout the country”.

This is not an exercise in maligning rank-and-file Gardaí, as has been suggested by some commentators. Indeed, Morris made clear that “the Tribunal is convinced that there is a substantial



Detective Sergeant John White leaving the Morris Tribunal. Photo: The Irish Times.

core of Gardaí who act within the law and for the good of the people of Ireland”. Rather, it’s a reflection of the Tribunal’s view that “proper discipline has been lost” and that “without a management structure being restored to the Gardaí that is based on strict compliance with orders, and immediate accountability, the danger is extreme that what the Tribunal has reported on in Donegal will be repeated; and that such conduct will multiply if allowed to go unchecked”.

Mr Justice Morris has issued this warning twice before. In 2004 and 2005, the Tribunal’s 1st and 2nd reports set out a raft of recommendations designed to address “a lack of proper management at senior level, corruption at middle level, and a lack of review throughout the force”. Full implementation of these recommendations – which are reiterated in the latest Morris reports – is long overdue.

To his credit, the Minister for Justice, Equality and Law Reform has acknowledged that the “gross abuses of powers and fabrication of evidence that are identified in these reports are completely unacceptable and deplorable”.

Michael McDowell has also highlighted a series of reforms, including a Garda Ombudsman Commission, a Garda Inspectorate, a civilian management advisory group chaired by Senator Maurice Hayes, and new draft regulations on discipline and promotions. Moreover, according to the Garda Act 2005, the Garda Síochána should, in future, demonstrate “the highest standards of practice, as measured by reference to the best standards of comparable police services”. Taken together, will these measures be sufficient to address the chronic problems that Morris has identified?

A number of the Minister’s proposed reforms have been in place for some time as regards one particular “comparable police service”, the Police Service of Northern Ireland (PSNI). However, certain key elements of policing reform in Northern Ireland have not been replicated here. The Patten Commission report provided a human rights-based blueprint for reform of the PSNI. Although the Garda Síochána has been the subject of a human rights audit, and the Garda Commissioner has published a human rights action plan, no comparable steps have been taken to ensure that human rights principles will underpin Garda reform. Moreover, in Northern Ireland, an independent Policing Board uses a detailed human rights monitoring framework to hold the PSNI to account.

The appointment of Senator Hayes to head a civilian management advisory group is encouraging, given that he was both the author of the report that led to the creation of the Northern Ireland Police Ombudsman, and an active member of the Patten Commission. However, a civilian management advisory group is no substitute for effective, human rights based scrutiny of Garda performance.

Internal managerial reform is also urgently required. The Morris Tribunal has commented that, “Management has to be based on trust. It also has to be based on checking and the reasonable possibility that managers will be strictly called to account”. As matters stand, this is not the case. The only means available to Garda managers to deal with poor performance by Garda members are transfer to another Division, suspension or formal disciplinary procedures. There are no other managerial mechanisms (e.g. regular, individualised, performance reviews) through which managers can require their subordinates to account for their actions.

Given these latest revelation by the Morris Tribunal, the Minister for Justice and the Garda Commissioner must now demonstrate the quality of political and managerial leadership that will be required to render the Garda Síochána a fully accountable and human rights compliant police service.



Assistant Commissioner Al McHugh opening an ICCL Human Rights Seminar for senior Garda managers

For its part, the Irish Council for Civil Liberties (ICCL) is committed to a policy of constructive engagement with the Garda Síochána, designed to assist the service to meet its human rights obligations. This includes providing advice through membership of the Garda Strategic Human Rights Advisory Committee and delivering human rights training to senior Garda Managers (holding the rank of Chief Superintendent and above) from throughout the country. The seminars focus on the operational policing implications of the European Convention on Human Rights (ECHR) Act 2003. Using innovative scenario-based methods, ICCL trainers are leading in-depth discussions on a range of themes including equality/non-discrimination, protecting the public, use of force, public order, arrest and the pre-trial period, detention and victims’ rights.

The ICCL hopes, in this way, to make its own distinctive contribution to the full implementation of the Garda Commissioner’s human rights action plan.

An earlier version of this article was published in the Irish Times on 29 August 2006.

Staff News

Three New Staff Members Join the ICCL Team

We have appointed a new Director and two new staff members and will be engaging in increased communications and fundraising activities, bringing human rights, justice and equality issues into the forefront and ensuring that our campaigns are broadly publicised.

New Director

International human rights lawyer Mark Kelly took up the post of Director in May 2006. A founder of Human Rights Consultants (HRC), Mark's clients have included the United Nations, the European Union and the Council of Europe. He has worked as an expert adviser on human rights and training issues for An Garda Síochána and the Police Service of Northern Ireland and as a guest inspector for the Irish Inspectorate of Prisons. Prior to setting up his consultancy business, Mark was based in Strasbourg for 10 years as Head of Unit in the Secretariat of the Council of Europe's European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

New Communications and Fundraising Team

Mark is joined by a new Communications and Fundraising team. Amy Pearson will direct a communications strategy to promote the ICCL's campaigning and research and policy activities. Karen Ciesielski is responsible for planning and overseeing the ICCL's fundraising activities and will work with other ICCL staff members to raise much needed funds from individuals, businesses, trusts and foundations.

Staff Moves

Moya Campbell, our Assistant Director, left us in July and has moved to London where she will continue working in the human rights sector. Moya was instrumental in helping the ICCL recover from the January fire in the Dominick Street offices and in securing our new premises. On behalf of the Executive and staff we would like to thank Moya for her valued contribution to our work. The ICCL hopes to appoint a new Assistant Director within the coming months.

ICCL New Offices

The ICCL now has a new home in 9-13 Blackhall Place, close to the Law Society. In recent months the team has moved into new offices with an upgraded IT system.

Other News

ICCL and the UN Committee on the Elimination of Racial Discrimination (CERD)

Our Senior Research & Policy Officer, Tanya Ward, represented the ICCL at a hearing with Morten Kjærum, Rapporteur to the UN Committee on the Elimination of Racial Discrimination (CERD) on 20 June 2006. Tanya has also co-edited and contributed to the report "Comments on the Implementation by the Irish Government of the Concluding Observations of the Committee on the Elimination of Racial Discrimination (ICERD)" (produced under the banner of the "NGO Alliance Against Racism"), which was presented to Dr. Kjærum.

Equality for all Families



Case for Legal Recognition of Same Sex Marriage in Ireland

PHIL O'HEHIR, BROPHY SOLICITORS

On 3 October 2006, Drs Katherine Zappone and Ann Louise Gilligan (KAL) launched their case for legal recognition of their existing Canadian marriage in the High Court. If their case is successful, Ireland will join the Netherlands, Belgium, Canada, Spain and the State of Massachusetts as jurisdictions in which same sex couples can enjoy civil marriage and equality in society. The South African Government is expected to enact legislation legalizing same-sex marriage by the end of this year. The couple will seek a declaration that, in failing to recognise their Canadian marriage, and in failing to apply the tax law provisions relating to married couples, the State and the Revenue Commissioners have acted unlawfully, in breach of their constitutional rights to equality, to marriage, to property rights and family rights. The case will also argue the State has breached their rights to privacy, marriage and non-discrimination under the European Convention on Human Rights. They will be supported by nine other expert witnesses.

Beyond the direct declarations of this couple, however, this case is about fairness and equality for all members of Irish society – its fundamental emphasis is on respect for the rights of all to share their lives in an atmosphere of social and economic stability.

Despite immense social changes in Irish society, the Irish Constitution recognises the family as the 'natural primary and fundamental unit group of the society.' But this has been interpreted to mean the family based on marriage only.

One parent families and co-habiting same-sex or heterosexual couples are excluded from this definition.

Cohabiting couples continue to be treated as strangers in the eyes of the law – their citizenship, property and inheritance rights, tax status or medical records, for example, do not reflect their true life situation. For same-sex couples, the discrimination runs even deeper, where adoptive rights or visiting rights are disregarded and where there is no option to change their status from 'single' to 'married'. That option is always open to heterosexual couples.

This Constitutional discrimination has been reinforced by the recommendations of the All Party Oireachtas Committee on the Constitution. It took the view that an amendment to extend the definition of the family would "cause deep and long-lasting division." Instead, the Committee proposed to deal with the diversity of family forms through a number of other constitutional changes and legislative proposals, including civil partnership or a presumptive scheme for cohabiting heterosexual couples and civil partnership legislation for same sex couples.

The 1937 interpretation of the family in Ireland's Constitution could also be considered out of step with today's reality. While civil partnership might allow same sex couples a broad range of marriage-like privileges, it does not confer equality of status and equality of rights on all Irish citizens.

The KAL case has outlined that the only way the State can promote and protect the rights and responsibilities of all its citizens in financial, familial and societal terms is to institute a mechanism for a partnership of full equivalence to marriage, that is, 'civil marriage'.

The High Court judgment in the KAL case is expected by the end of 2006.

For more information on the KAL Case go to www.kalcase.org

The Definition of Marriage – How Fixed Is It?

JUDY WALSH, CO-CHAIR OF THE ICCL

The Gilligan and Zappone case has focused attention on an institution which many people take for granted. It has made us think about what marriage means to individuals and, importantly, what it means to society.

While the High Court has been presented with a raft of arguments during this case, the definition of marriage under the Irish Constitution is a central point of contention. Although referred to as the foundation of the family, the text of Bunreacht na h'Eireann doesn't elaborate further on the meaning of marriage. As a result that task has fallen to the courts. To date judges have endorsed the traditional concept of an exclusive partnership entered into by a man and a woman. A 1995 Supreme Court judgment aligned the legal definition with one derived from Christianity – an opposite-sex, indissoluble and life-long commitment.

Blurring of marriage as a religious sacrament with the secular institution is not confined to court decisions. Many of us merge the two, conjuring up images of the church aisle when the word is mentioned. Public debate is inevitably polarized when the assumption is that everything – including marriage as a religious sacrament - is up for grabs.

But civil recognition of same-sex marriage would not undermine the right of religious denominations to perform wedding ceremonies according to their values and traditions. At present the Catholic Church will not perform a ceremony if either of the intending spouses has been divorced. Nonetheless, Irish law permits both civil divorce and civil remarriage.

The secular purpose of marriage is to provide a coherent framework that enables two people to voluntarily assume a range of mutual legal rights and duties. Arguments that marriage is about providing children with a secure environment are frequently ventilated in this context. But heterosexuals may marry even if they

cannot or do not intend to have children. And many lesbian and gay people are parents. The real argument here is about sexual orientation and not child-rearing.

So should the institution be confined to heterosexual couples or is it time to extend the right to same sex partners who want to solemnise their relationships?

International human rights law offers little assistance on the subject. The United Nations and Council of Europe systems both regard the matter as one for each individual nation. Recent years have witnessed similar litigation in other countries. Landmark judgments of the South African and Canadian courts have disentangled the secular and religious definitions of marriage. In 2004 the Canadian Supreme Court ruled that opening marriage to same-sex partners would promote the principle of equality. Last December the Constitutional Court of South Africa directed the Government to remove the legal bar on same-sex marriage. Judge Albie Sachs pointed out that because marriage has such a special status, exclusion of same-sex couples is all the more injurious.

These comments were echoed when the Massachusetts Supreme Court rejected the 'separate but equal' approach pursued where marriage is closed off to lesbian and gay people and an alternative institution is put in place. Denial of the right to marry "works a deep and scarring hardship on a very real segment of the community for no rational reason" the Court explained.

The point has been made in this case, and elsewhere, that any change to the definition of marriage should be driven by the people's elected representatives rather than the courts. That line of reform is certainly welcome. The Oireachtas could change the definition of marriage contained in the Civil Registration Act 2004, following the lead of the national parliaments of Belgium, Spain and the Netherlands. But that would leave the constitutional status quo intact and so any change to the ordinary law open to challenge.

In any event theories of democracy accept that courts have a particular role to play in protecting minorities from the potential dangers of majority rule.

Furthermore, it has been argued in this case, and accepted by Irish judges in other fields that the Constitution should not be sealed off in some cryogenic chamber immune from changes in the wider world. Its meaning should evolve in tandem with society. Retention of a 'Christian', or for that matter any other religious conception of marriage, is hardly compatible with the values of a secular, liberal democracy as Ireland is today.

Like all human institutions, marriage is far from perfect. Yet the fact is, for many people it remains an indispensable source of social goods, individual benefits and long-term commitments. The High Court now has an opportunity to define marriage as an inclusive institution which reflects the values of contemporary Irish society.

Judy Walsh is a Co-Chair of the ICCL and a lecturer in human rights and discrimination law at the School of Social Justice, UCD.
This article was first published in the Irish Independent on 14 October 2006.

Constitutional and Legislative Reforms Needed to Secure Equality for All Families

The Irish Council for Civil Liberties is campaigning for constitutional and legislative reforms to secure equal rights for all families, including unmarried opposite sex couples, same sex cohabiting couples and one parent families.

The ICCL's recent "Equality for All Families" report highlights how Irish law privileges heterosexual married families, and effectively sanctions unequal treatment of other family forms. In consequence, the Constitution and domestic law fail to adequately protect children and are potentially in breach of international human rights standards.

The ICCL is campaigning for constitutional and legislative changes to:

- Prioritise children's rights;
- Ensure that all persons have the right to marry and found a family, regardless of their sexual identity or orientation;
- Recognize and support diverse family types;
- Introduce new rights to protect cohabiting couples.

We Want to Hear Your Story – Contact the ICCL Now

As part of our Equality for All Families campaign, we would like to speak to people from diverse family types including one parent families, cohabiting couples and opposite sex cohabiting couples with children.

Recent years have seen a dramatic rise in the number of cohabiting couples and diverse family types. However, only families based on marriage enjoy the protection of the Irish Constitution.

This means that many families are denied protection under the Irish law. Many diverse families and cohabiting couples want to share property, income, home life and to care and be cared for, yet they do not have the same protections as married couples.

The ICCL is campaigning for a referendum to change the Irish Constitution including to promote the best interests of children and to ensure that all families are treated equally.

We need your support and would like to hear about how current Irish law may have impacted on your life, or that of those close to you. With your consent, your story could be used as part of the ICCL's public awareness campaign for Equality for All Families.

Please contact the ICCL NOW in confidence at: 9-13 Blackhall Place, Dublin 7
E-mail: info@iccl.ie
Tel: (01) 799 4504

Ireland's "collusion" in rendition

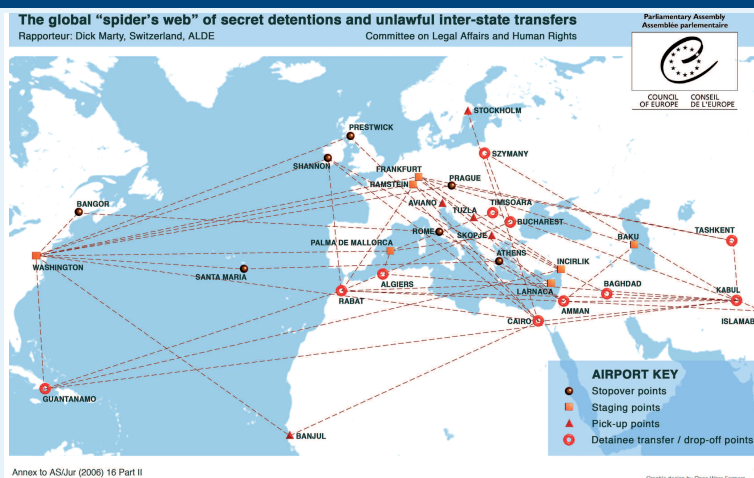
In early June 2006, the Council of Europe published a report suggesting that Ireland could be held responsible for "collusion" in unlawful prisoner transfers by allowing Shannon Airport to be used as a "stopover point" for CIA rendition flights. Senator Dick Marty's report exposed a global "spider's web" of such flights, and clearly indicated that, despite diplomatic assurances to the contrary by the United States, aircraft used for rendition flights had been refuelling at Shannon Airport.

The ICCL's concerns about this issue were heightened by the fact that, in mid June, the Minister for Foreign Affairs, Mr Dermot Ahern TD, confirmed the unauthorised presence of a US military prisoner on a civilian aircraft that landed in Shannon Airport for a technical refuelling stop on 11 June 2006. The emergence of this information calls into question the Irish Government's repeated insistence that it is entitled to rely on "clear and explicit factual assurances" by the United States "that prisoners

had not been nor would they be transferred through Irish territory without the express permission of the Irish authorities." (Quotations from the Minister for Foreign Affairs' letter to the Secretary General of the Council of Europe, 20 February 2006).

Given that the United States failed to inform the Irish Government of the presence at Shannon Airport of a US marine in military custody, what chance is there that the presence of prisoners undergoing rendition would be disclosed?

The Irish Council for Civil Liberties is campaigning for the introduction of an effective system of monitoring and inspection of all suspect flights which is the only way of ensuring that – even inadvertently – Ireland will not collude in future rendition flights.



What is "rendition"?

"Rendition" is a term used to describe the transfer of people from one country to another, using means that purposefully bypass judicial and administrative due process safeguards. People transferred in this way may be detained in secret places of detention, and are at risk of being subjected to various forms of ill-treatment, including torture.

The ICCL Briefs European Human Rights Bodies

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

The European Committee for the Prevention of Torture's fourth visit to Ireland took place from 2 to 13 October 2006. The ICCL was invited to a private meeting with the CPT's delegation, which was headed by Dr Mario Felice, a Maltese lawyer, and included CPT members from Azerbaijan, Slovenia and Sweden, as well as medical experts from France, Scotland and Switzerland. The delegation was provided with a confidential submission documenting the ICCL's concerns as regards Garda accountability, the proposed Immigration, Residence and Protection Bill and Ireland's collusion in rendition.

During its visit, the delegation paid particular attention to the treatment of persons detained by the Garda.

What is the CPT?

The CPT is a Council of Europe treaty monitoring body with the power to visit any place of detention (including Garda stations, prisons, juvenile detention centres, immigration detention facilities and psychiatric hospitals). CPT delegations enjoy unlimited access to places of detention and the right to move inside such places without restriction. They interview persons deprived of their liberty in private and can communicate freely with anyone – including non-governmental organisations – who can provide them with relevant information.

After each visit, the CPT produces recommendations which are included in a report which is sent to the State concerned. The reports on the Committee's three previous visits to Ireland can be found at: www.cpt.coe.int

European Commission against Racism and Intolerance (ECRI)

ECRI carried out a "contact visit" to Ireland from 2 to 6 October 2006, in order to prepare its third report on Ireland. The ICCL was invited to a private meeting with ECRI's "rapporteurs", Professor Gudrun Holgersen (from Norway) and Mr Thomas Büchel (from Liechtenstein). The rapporteurs were provided with a submission covering a number of issues of relevance to ECRI's mandate, including progress on the ratification of international treaties, the impact of constitutional and legislative reform, the limits to Ireland's equality regime and the failure fully to transpose the EU Race Directive into Irish law.

What is ECRI?

ECRI is a Council of Europe commission that takes a human rights based approach to combating racism, xenophobia, anti-Semitism and intolerance. Part of its work is to monitor racism and racial discrimination by examining the situation in each of the 46 member States of the Council of Europe, including Ireland. In order to obtain as detailed and comprehensive a picture as possible, a "contact visit" by ECRI rapporteurs is carried out before the preparation of each new country report.

After each visit, ECRI produces a report which is sent to the State concerned. The reports on the Commission's two previous visits to Ireland can be found at: www.coe.int/T/E/human_rights/Ecri/