

NORTHERN IRELAND COUNCIL FOR ETHNIC MINORITIES

**SUBMISSION TO THE COMMITTEE ON THE ELIMINATION
OF DISCRIMINATION AGAINST WOMEN ON ITS
EXAMINATION OF THE SIXTH PERIODIC REPORT OF THE
GOVERNMENT OF BRITAIN AND NORTHERN IRELAND**

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INTRODUCTION

In the context of the examination by the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) of the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland in May 2007, NICEM takes this opportunity to highlight issues of concern to ethnic minority women living in Northern Ireland.

NICEM is an umbrella organisation representing the interests of black and minority ethnic groups in Northern Ireland. Currently there are twenty five black and ethnic minority groups affiliated as full members. These represent most of the black and ethnic minority communities in Northern Ireland¹. NICEM's vision is of a society free from all forms of racism and discrimination, where human rights are guaranteed. NICEM works in partnership, to bring about social change, by achieving equality of outcome and full participation in society.

As part of NICEM's Racial Equality Strategy Capacity Building Project, a series of workshops were held with ethnic minority women on women's rights and CEDAW. This report brings together the issues raised by nine ethnic minority participants at a one day workshop held on October 19th. The purpose of the workshop was to explore issues of interest and concern to participants in the context of CEDAW and the government's sixth periodic report.

While the sectarian divide dominates discussion and policy in Northern Ireland, with an extensive, if not always effective structure in place to combat religious discrimination and intimidation, ethnic minorities have long been ignored within political and legislative development. Legislative protection against racial discrimination, which has been in place in Britain since 1965, was not introduced in Northern Ireland until 1997. This has left ethnic minorities vulnerable to discrimination in many forms. The issues raised by workshop participants highlight the multiple nature of discrimination experienced by ethnic minority women in Northern Ireland. On the one hand, participants face discrimination in a range of areas because they are women. Added to this, they face additional discrimination as members of ethnic minority groups. The experiences and stories related by participants at the workshop highlight the sense of marginalisation and exclusion they feel as they attempt to negotiate their daily lives in a society which, in a multitude of ways fails to understand or meet their needs, and, in the words of one participant, "*treats us as invisible*".

¹ According to 2001 census figures (the first year the question was asked) there are approximately 14,279 people from ethnic minority groups in Northern Ireland. The largest ethnic minority group is that of the Chinese. Problems were identified with accuracy of this as question excluded white minorities and referred only to those born outside Northern Ireland.

ISSUES OF CONCERN TO ETHNIC MINORITY WOMEN

Article 2 : State condemnation of discrimination

While paragraphs 106 to 181 of the Government Report draw attention to legislative changes introduced or amended since the last Government Report, testimonies of workshop participants indicate that discrimination, in particular on the basis of ethnicity, appears to remain in the practice of a number of state agencies.

An example was provided by one participant, of Asian origin, who outlined how the ethnic community group she works with was sidelined by the Northern Ireland Electoral Commission. On behalf of her group she telephoned the Commission to inquire if a representative could come out to speak to her community group about the work of the Commission. The response she received was that members of her group (many of them UK citizens) did not have the right to be living in Northern Ireland and that the Commission has no need to speak to them for that reason. Following on this experience, workshop participants called for state agencies, in particular the Electoral Commission, to be made more accountable to the people, including members of ethnic minority communities, they serve.

Article 10 : Education

Paragraphs 352 to 389 of the Government Report address the issue of education. Although this section begins (paragraph 352) with a Section entitled “*A continuing commitment to education of women and ethnic minority learners*”, issues raised by workshop participants demonstrate ongoing discrimination of ethnic minority women and their children in this area.

Access

While the Government Report (paragraph 352) asserts that the Government has introduced, since 2003, a number of national strategies, policies and initiatives to increase participation, retention and achievement women and ethnic minority learners, issues of access were repeatedly raised by workshop participants. These issues relate to both financial barriers and ongoing cultural barriers to ethnic minority learners in Northern Ireland. In particular a number of barriers were noted.

- Women in the home do not have the same access to learning English and interaction with other women as women out in the workplace. This is compounded by the barriers faced by ethnic minority women in accessing employment in Northern Ireland – see following section.
- While paragraph 363 of the Government Report talks of increasing the numbers of women in higher education, financial barriers enshrined in legislation mitigate against this. Fees for overseas students are three times that of the rate for UK citizens and consequently proves unaffordable for many

families. As a result, families are split up as children are forced to travel to other countries to continue their education. A child must be in the education system for three years prior to September of course starting before eligible for the local rate. Children of Asylum Seekers are not eligible for the local rate. This not only has an economic impact but affects participation and ability to integrate.

- At other levels within the education system discrimination remains a reality for ethnic minority students. One participant spoke of how her daughter's application for a secondary school had to be vetted by a special meeting of the school council. This delayed her entry to the school by two weeks and her daughter was reluctant to go thereafter as she felt the meeting and the subsequent delay in allowing her access would make her '*stand out*' and be excluded by other students within the school.

Accommodating diversity within educational institutions

Tellingly the Government Report makes no mention of how or if efforts are made to accommodate diversity within the educational system. Yet this emerges as a significant issue for ethnic minority learners who do gain access to the system. In this regard workshop participants noted the following:

- Within schools there is a need for a greater recognition of diversity. For example, there is a need to accommodate, in some way, non-Christian religious holidays and prayer times. There is a need for greater respect for non-Christian traditions – for example the wearing of headscarves, and specific dietary requirements. It appears that there is little respect for or understanding of different cultures among both staff and students within the educational system. One participant talked about the experiences of her son who is being jeered by his class-mates because his mother comes to collect him wearing her headscarf.
- Participants noted that schools offered few opportunities to students to learn their native language in school. This was seen as particularly detrimental for the heritage of the second generation. Religious discrimination with an exclusively Christian syllabus was also noted. This was in contravention of the right to religious education under Article B of Children's Convention. In particular it was noted that there is a dearth of teachers of the Arabic language and, when taking this as an exam subject, it is not possible to take the oral component as there are no examiners competent enough in the language to facilitate this.

Media representations

In relation to media representations of ethnic minority groups and peoples it was noted by workshop participants that there is currently, not has there been, any television programme reflecting the multicultural nature of Northern Irish society. It

was felt that there is an urgent need for a watchdog on the portrayal of minority ethnic women in the media where stereotypes abound.

Article 11 : Employment

Paragraphs 390 to 443 of the Government Report deal with the issue of employment. Although paragraph 390 states that “*The Government recognises that those women who wish to work make a critical contribution to the economy, both in the role as workers and as primary carers², and has made advancements to address the barriers that prevent some women from meeting their full potential*”, these advancements have not included many ethnic minority women. Paragraph 405 of the Government Report explicitly states that “*The Government will also look at the barriers to work faced by black and minority ethnic women and investigate practical measures to raise their employment levels*”. However, it remains unclear whether any action will result from this investigation. Meanwhile the barriers persist as the testimonies of workshop participants demonstrate. Three issues in particular were raised by workshop participants in this respect – the right to work for both asylum seekers and ethnic minority women who have been granted residency status, the recognition of qualifications obtained from educational institutions abroad, and discrimination in recruitment practices despite tight equal opportunity legislation in this area.

The right to work

Workshop participants, noting that asylum seekers are denied the right to work, elaborated on the effects that this inability to contribute to the economy, which persists in most cases for many years, has on their standing and status within society. This inability to contribute to the economy and to society heightens asylum seekers’ feelings of marginalisation and exclusion. Workshop participants were adamant that they, and their (adult) children, should have the right to work and be granted work permits. Although Asylum Seekers can apply for the right to work after one year this is often refused by the Home Office.

In cases where ethnic minority women do have the right to work further barriers to their gaining employment were raised. These related to difficulties in getting recognition for educational qualifications and discrimination experienced in recruitment practices. The experiences of some of the participants in the workshop illustrate these issues.

Recognition of educational qualifications

One participant, a qualified obstetrician, spoke of how her qualification, obtained from a University in Egypt, was not recognised by one of the main hospitals in Belfast. Another participant with qualifications from education institutions in Hong

² The classification of women as primary carers contradicts the provisions of Article 5 which highlights the social function of motherhood and the common responsibility of parents for raising children.

Kong noted that she had similar difficulties in getting her qualifications recognised in Northern Ireland.

Recruitment

For participants who managed to get to the interview stage of the job application process, further discrimination was experienced at this stage. One participant, of Hong Kong origin (although having spent most of her life in Northern Ireland), while being interviewed for a post within the community development sector, was told that there were no posts in catering within the organisation. This, presumably an allusion to the Chinese restaurant sector, demonstrates the prevalence of stereotyping and proved highly insulting, and not a little perplexing to the candidate.

Although paragraphs 275 and 276 of the Government Report explicitly address the issue of women working in the media, one participant experienced discrimination following approaches to both UTV (Ulster Television) and BBC Northern Ireland. The woman in question, a television producer from the Middle East with a degree in media studies together with fifteen years experience working in this field, was told that she was too old for the job. As well as raising questions of ageism, she herself feels that her wearing a scarf poses a difficulty. She noted that this has become increasingly prevalent in recent years following the September 11th attack. Participants in general noted that it is very difficult to get to interview stage in the first place and that organisations and private sector companies tend to ‘*only employ locals*’.

Discussing how this level of discrimination can be tackled, participants felt that diversity training within the private and public sector was proving insufficient and that more resources and commitment needs to be targeted into this area.

Article 13 : Social and economic life

Given the levels of economic and social marginalisation experienced by ethnic minority women, the provisions under Article 13 of CEDAW prove particularly important to their well-being and development.

Social security

Paragraph 509 of the Government Report deals with the issue of child benefit. However it restricts its reporting on this issue to one institutional change which has occurred since 2003. Of greater relevance to women is the level of allowance provided, and of particular relevance to ethnic minority women is the fact that many do not receive any benefit at all.

Recreational facilities

Article 13 of CEDAW expressly includes provisions for “*the right to participate in recreational activities, sports and all aspects of cultural life*” (Article 13 (c)). The

Government Report includes no information in this area. In contrast, this is an area which proved of significant interest to workshop participants. Two aspects in particular were highlighted – difficulties in becoming involved with ‘local’ teams and sporting activities due to cultural discrimination, and the inappropriateness of public facilities to their needs.

In relation to the first, workshop participants noted that it is very difficult for ethnic minority women and/or their children to get involved in local sporting event and teams as they are ‘not Irish’. They stressed that there was a need for this segregation to end and that ‘access sports’ could potentially prove a powerful way in which racism could be challenged. More broadly, it was felt that more funding is required for events which enable cultural exchange. For example it was suggested that a national day to celebrate all cultures, one which includes children’s activities as it was noted that it is at an early age that prejudice begins, be introduced.

In relation to the second area, the barriers encountered in trying to access services provided by public and private leisure centres were discussed. The inappropriateness of swimming pool facilities in particular was highlighted. Within some cultures represented at the workshop it is not acceptable for women and men to swim together. Yet swimming pools in Northern Ireland do not offer separate sessions. Some women’s groups have booked sessions in the swimming pools of some leisure centres at times when they are generally closed. However this proves very expensive and the timing available is generally not suitable for women with families. It was also noted by a number of participants that some people do not like to swim with black women or women ‘*of colour*’.

The move toward unisex changing facilities in many leisure centres / facilities was also highlighted as a barrier to many ethnic minority women in using these facilities as they feel extremely uncomfortable with some arrangements. Some participants noted that they do not feel safe in such environments. Another feature of leisure centres and facilities which has made women uncomfortable is the presence of security cameras. Participants noted that, in some cases, they had asked centre staff to remove the camera or turn it off during their (privately booked) session, but that this request had been refused.

In discussing how some of these barriers might be tackled participants felt that firstly, compulsory diversity training for service providers should be provided; secondly, that legally enforceable targets for the accommodation of diversity within public services should be established; and thirdly, that state funding should be provided for recreational facilities catering to the specific needs of ethnic minority women.

Article 15 : Equality before the law and civil matters

A number of issues were raised by workshop participants in relation to the provisions under Article 15 pertaining to equality before the law and civil matters.

The incompatibility between British law and Sharia law in relation to the issue of divorce was also raised by workshop participants. Participants noted that it is not

possible for Muslim women to take the initiative to dissolve a marriage under British law.

The issue of property rights for women within marriage was also raised. Although this is an area covered under Article 15 within CEDAW, the issue is not raised within the Government Report. Workshop participants noted however that wives working alongside their husbands in the catering industry have no property rights, no rights to equal shares of the profit, and no pensions. In cases where husbands leave their wives, the wives in this situation are left with nothing.

It was further noted by participants that asylum seekers cannot open a bank account in Northern Ireland.

Article 16 : Equality in marriage / Article 5 : Cultural codes of conduct
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Two specific issues were raised by workshop participants which relate to both Articles 16 and 5 of CEDAW. Neither of these are addressed anywhere within the Government Report.

The first issue raised was the imbalance in codes of conduct within marriages wherein it appears acceptable for men to have mistresses / extra-marital relations while this is regarded as highly unacceptable for women. This demonstrates a specific inequality within marriage and a more general inequality with regard to cultural codes of conduct around marriage.

The second issue relates specifically to members of the Muslim community. Participants noted a further clear inequality in the cultural code wherein Muslim girls are compelled to marry within their religion while Muslim men are free to marry outside of it.

While it may be argued that such cultural codes relating to marriage and family relations lie outside the remit of the state, Article 5 of CEDAW commits signatory States to take appropriate measures to modify cultural patterns of conduct that lead to inequality and discrimination while Article 15 specifically obligates these same States to take steps to ensure equality in marriage and family relations. Under the provisions of CEDAW the State has an obligation to take measures in these areas therefore. However, the Government Report makes no reference to any such measures.

APPENDIX : WORKSHOP PARTICIPANTS

Frances Wong	World Wide Women of North Down
Phoebe Wong	World Wide Women of North Down
Af Af Aly	Egyptian Society of Northern Ireland
Comfort Adefowaju	Northern Ireland Committee of Refugees and Asylum Seekers (NICRAS)
Ronke Falode	Northern Ireland Committee of Refugees and Asylum Seekers (NICRAS)
Ayoka Jolatho	Northern Ireland Committee of Refugees and Asylum Seekers (NICRAS)
Taghreed Galal	Belfast Islamic Centre
Afaf Abdelmaksoud	Belfast Islamic Centre
Sahar Mohamed	Belfast Islamic Centre
Helena Macormac	NICEM
Terry Deehan	NICEM