



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

**Response to The Executive Office's Consultation
on the Framework for Race Relations**

June 2026

Table of Contents

Summary of Recommendations	3
1.0 Introduction	11
2.0 Human Rights Standards	14
Overarching Comment/ Assessment.....	17
3.0 Detailed Commentary on the Four Outcomes	21
4.0 Outcome 1: Elimination of Racial Inequality	22
Race Relations Legislation.....	22
Awareness Raising Interventions	24
Minority Ethnic Development Fund	25
Misinformation	26
Racial Equality Subgroup	27
5.0 Outcome 2: Combatting Racism and Hate Crime	28
Clarity on Scope and Focus	28
Victim-Centred Approach	28
Racist Hate Crime	29
Awareness raising initiatives	33
6.0 Outcome 3: Equality of Service Provision	34
Language Barriers in Access to Services	35
Education	36
Employment	37
Access to Health Care Services.....	40
Housing.....	43
Roma Thematic Group and Traveller Thematic Group	44
Data	45
7.0 Outcome 4: Community Cohesion	47
8.0 Delivery Plan	49
Monitoring and Evaluation.....	50
Accountability	50
Key Governance Mechanisms	51

Summary of Recommendations

The NIHRC:

- 2.7** recommends that the Executive Office references the core human rights instruments, including Windsor Framework Article 2, within the Draft Framework for Race Relations, ensuring that the obligations flowing from these human rights standards are embedded throughout the Framework to ensure practical compliance. The Ending Violence Against Women and Girls Strategic Framework 2024-2031 provides a good example of how this has been done.
- 2.13** recommends that the Executive Office strengthens the Draft Framework in line with the United Nations Office of the High Commissioner for Human Rights guidance on National Action Plans against Racial Discrimination, to ensure it is action-oriented and capable of effective implementation. In particular, the Draft Framework should set out more concrete and measurable actions to be undertaken, with targeted goals, performance indicators, clear assigned responsibilities, defined timeframes and adequate budgetary provision, and arrangements for monitoring, evaluation, across all four outcomes.
- 2.16** recommends that the Executive Office ensures that the Draft Framework for Race Relations is accompanied by a full Human Rights Impact Assessment outlining all relevant human rights standards. This should include details of how Windsor Framework Article 2 obligations have been considered and how they will be monitored and implemented under the Framework.
- 2.17** recommends that the Executive Office, monitors any proposed changes by the EU to the Racial Equality Directive, including relevant case law of the CJEU, in the development and implementation of the Framework for Race Relations, and that explicit reference is made within the Framework as to how any enhancements will be incorporated into NI equality law.

- 2.21** advises the Executive Office and the Department of Communities that, in accordance with the dynamic alignment obligation relating to Windsor Framework Articles 2 and 13, the definition of discrimination in relevant NI equality law should be amended to include “intersectional discrimination” aligned to the relevant provisions of the EU Pay Transparency Directive.
- 3.4** recommends that the Executive Office gives due regard to the findings of the independent review and its own identified responses and ensure that the shortcomings identified in the Racial Equality Strategy are not carried forward into the new Framework but instead addressed in a way that strengthens and enhances it.
- 4.5** recommends that, to ensure compliance with Windsor Framework Articles 2 and 13, any updates to NI Race Relations legislation must reflect any changes to the EU Racial Equality Directive which enhance rights, including those already introduced by the Standards for Equality Bodies Directive, and relevant CJEU jurisprudence.
- 4.6** welcomes the Executive Office’s proposals to enact updated Race Relations legislation and recommends this is supported by effective education and awareness raising programmes on anti-racism, equality and anti-discrimination aimed at public officials, civil society, the media, and the wider public.
- 4.7** recommends that the Executive Office implements systematic monitoring and impact assessment measures of new legislation, to ensure that it does not contribute to the perpetuation of racial discrimination.
- 4.12** recommends that the Executive Office strengthens the key interventions under Outcome 1 by setting out concrete and measurable actions or activities, including clear targets, intended beneficiaries, performance indicators, assigned responsibilities, and defined timeframes for delivery, to enable effective assessment of progress.
- 4.15** recommends that the Executive Office sets out the budget required for the implementation of the Framework’s Delivery Plan and takes

the steps necessary to ensure that the Minority Ethnic Development Fund is released in a timely manner to avoid delays that could undermine delivery.

- 4.20 recommends that the Executive Office explicitly include disinformation as a key issue to be addressed under Outcome 1 and consider measures such as the provision of language classes and interpretation services to empower and assist racial and minority ethnic communities to report and challenge misinformation and disinformation.**
- 4.21 recommends that the Executive Office considers the inclusion of initiatives aimed at promoting media literacy and encourage fact-checking of online sources, to build greater resilience to misinformation and disinformation.**
- 4.22 recommends that the Executive Office considers translating the Framework into the indigenous, regional and minority languages spoken in NI, to enhance accessibility and engagement.**
- 4.25 recommends that the Executive Office revisits the Racial Equality Subgroup's terms of reference to ensure that it will implement all key actions and that it considers increasing funding and support to build capacity in the Subgroup.**
- 5.2 recommends that the Executive Office rephrases the accompanying explanation of Outcome 2 to clearly articulate its objectives and to define the key terms of focus. The NIHRC advises that for guidance the Executive considers the definitions within the UN CERD.**
- 5.5 recommends that the Executive Office provides more detailed information on how a victim centred approach will be delivered, including the provision of victim support services and the establishment of clear and accessible pathways from reporting to remedy.**
- 5.15 recommends that the Executive Office revises Outcome 2 to provide greater clarity on how victims of racist incidents, hate crime and paramilitary racist violence and intimidation will obtain redress and to set out the accountability and monitoring measure.**

The NIHRC advises that this should include the following:

- **Clear mechanisms to prevent and combat paramilitary racist violence and intimidation against ethnic minorities and migrants.**
- **Clear mechanisms for the systematic collection, analysis, and publication of accurate disaggregated data and statistics on racist and xenophobic offences, including incidents involving paramilitary groups.**
- **Data on the number of incidents reported to the police, the number of cases investigated and prosecuted, the reasons for decisions not to prosecute, and the outcomes of prosecuted cases.**

5.16 recommends that the Executive Office includes under Outcome 2 clear performance indicators, such as the percentage increase in reporting rates of race hate crime and racist incidents, the proportion of reported incidents of race hate crime and racist incidents leading to charges, and levels of victim satisfaction with police responses.

5.17 recommends that the Executive Office revises Outcome 2 to include concrete measures to analyse the nature and extent of racial discrimination within the criminal justice system, establish effective anti-discrimination monitoring services within the administration of justice.

5.18 recommends that the Executive Office strengthens the Framework by including training programmes aimed at eliminating racial or xenophobic prejudice among judges, other judicial personnel and jury members, as well as specialised training on victims' needs for officials likely to come into contact with victims.

5.20 recommends that the Executive Office revises the fourth intervention under Outcome 2 to include clear practical steps on how to tackle misinformation and suggests including targeted engagements with the media, journalists and minority ethnic communities.

- 5.24 recommends that the Executive Office strengthens the first key intervention under Outcome 2 by specifying concrete activities to be undertaken in reviewing approaches to racially motivated and aggravated crime and access to justice for victims, clearly identifying the responsible departments, and engaging key stakeholders, including the Department of Justice, judges, prosecutors, law-enforcement officials, and other relevant court and victim-support services.**
- 6.4 recommends that the Executive Office amends the Draft Framework for Race Relations to reflect its obligations relating to equality of service provision under the EU Racial Equality Directive and relevant CJEU case law.**
- 6.7 recommends that the Executive Office introduces a dedicated intervention under Outcome 3 to improve access to interpretation and translation services for racial and minority ethnic communities, supported by clear funding commitments.**
- 6.9 recommends that the Executive Office strengthens Outcome 3 by introducing corresponding interventions to address key issues identified by UN treaty body mechanisms, particularly in relation to education, employment, and access to health care services. These interventions should clearly specify the actions to be taken, the groups targeted, and the bodies responsible for delivery.**
- 6.13 recommends that the Executive Office clarify how equality of access will be achieved across public services, with a particular focus on education, including campaigns at schools and identify the key actors to be involved and groups to be engaged including teachers.**
- 6.14 recommends that the Executive Office amends the Draft Framework to reflect its obligations relating to minimum standards for access to education under Windsor Framework Article 2, including requirements under the EU Racial Equality Directive.**
- 6.21 recommends that the Executive Office strengthens Outcome 3 by including a corresponding intervention to improve access to employment, including targeted public-sector employment**

initiatives, and measures to expand access to vocational training and employment services for minority ethnic communities.

- 6.22 recommends that the Draft Framework include a commitment by the Executive Office to track CJEU case law in the area of employment discrimination on the grounds of race and ethnicity, and religion and belief, to ensure any enhancements are reflected in NI equality law.**
- 6.30 recommends that the Executive Office, guided by the recommendations of the UN Treaty Body mechanisms, strengthen Outcome 3 by including clear measures to support the implementation of programmes and initiatives aimed at increasing access to healthcare services for minority ethnic communities, including targeted actions involving healthcare professionals and hospital administration staff.**
- 6.31 recommends that the Draft Framework be amended to reflect a commitment from the Executive Office and the Department of Health to identify and minimise procedural barriers to healthcare for migrant people, regardless of immigration status.**
- 6.34 recommends that the Executive Office strengthens Outcome 3 by including activities targeted at actors within the housing sector to support the implementation of programmes and initiatives aimed at increasing access to housing in both the public and private sector.**
- 6.35 recommends that the Executive Office strengthens Outcome 3 by including clear measures to prevent intimidation and violence by paramilitary groups against ethnic minorities and migrants to ensure equal access to adequate and culturally appropriate housing and to prevent de facto segregation. The NIHRC advises that this should include the collection, analysis and publication of data on such incidents, including the number of cases investigated and prosecuted, the reasons for decisions not to prosecute, and the outcomes of prosecuted cases.**
- 6.39 recommends that the Executive Office strengthens the seventh intervention under Outcome 3 by clearly specifying actions to be**

undertaken by the Roma Thematic Group and Travellers Thematic Group, identifying the priority actions, bodies responsible for implementation, defined delivery timeframes, target groups to be engaged and associated budgetary requirements.

- 6.44 recommends that the Executive Office ensures that the data available is assessed with a view to revealing the existence and extent of racial discrimination, identifying discriminatory practices and patterns, and key priority areas for targeted action.**
- 6.45 recommends that the Executive Office amends the Draft Framework to reflect the requirements relating to data collection set out in the EU Standards for Equality Bodies Directive.**
- 7.6 recommends that the Executive Office considers replacing the term “community cohesion” with “intercultural dialogue” a term grounded in the Council of Europe Framework Convention for National Minorities.**
- 7.7 recommends that the Executive Office utilises meaningful engagement with individuals who will be affected and their representatives beyond this public consultation to determine the key priority areas for implementation regarding trainings and workshops.**
- 7.8 recommends that the Executive Office clarifies the key interventions under Outcome 4, including specifying the key human rights topics, issues, and related trainings and workshops on race relations and ensuring that they are supported by clear responsibilities, timeframes, and monitoring arrangements.**
- 8.4 recommends that the Executive Office strengthens the Delivery Plan by setting out institutional responsibilities for each outcome and intervention, so that roles and expectations are transparent to all government departments, stakeholders, and the wider public.**
- 8.7 recommends that the Executive Office strengthens the Delivery Plan by identifying clear mechanisms for measuring progress against each outcome, including performance indicators, reporting**

arrangements, and procedures for identifying and addressing underperformance.

8.11 recommends that the Executive Office strengthens the governance arrangements by explicitly stating their frequency and providing for scheduling of Strategic Planning Group (SPG) meetings, including setting fixed time frames.

8.14 recommends that the Executive Office clarifies the frequency and timing of updates to the SPG Performance Report, including the introduction of regular reporting cycles. These reports should set out progress against agreed outcomes and performance indicators, identify challenges and underperformance, and inform corrective action.

1.0 Introduction

- 1.1 The Northern Ireland Human Rights Commission (NIHRC), pursuant to section 69(1) of the Northern Ireland (NI) Act 1998, reviews the adequacy and effectiveness of law and practice relating to the protection of human rights in Northern Ireland. The NIHRC is also required, under section 78A(1), to monitor the implementation of Article 2(1) of the Windsor Framework.¹ In accordance with these functions, the following evidence is submitted to the Executive Office in response to its consultation on the Review of the Framework for Race Relations.
- 1.2 The NIHRC bases its advice on the full range of internationally accepted human rights standards, including the European Convention on Human Rights, as incorporated by the Human Rights Act 1998, and the treaty obligations of the Council of Europe (CoE) and United Nations (UN). The relevant regional and international treaties in this context include:
- CoE European Convention on Human Rights 1950 (ECHR);²
 - CoE European Social Charter 1961;³
 - CoE Framework Convention for the Protection of National Minorities;⁴
 - UN Convention on the Elimination of All Forms of Racial Discrimination 1965 (UN CERD);⁵
 - UN International Covenant on Civil and Political Rights 1966 (UN ICCPR);⁶
 - UN International Covenant on Economic, Social and Cultural Rights 1966 (UN ICESCR);⁷
 - UN Convention on the Elimination of All Forms of Discrimination Against Women 1981 (UN CEDAW);⁸
 - UN Convention on the Rights of the Child 1989 (UN CRC);⁹

¹ The Windsor Framework was formerly known as the Protocol on Ireland/Northern Ireland to the to the Agreement on the Withdrawal of the UK of Great Britain and NI from the EU and the European Atomic Energy Community, 24 January 2020 (UK-EU Withdrawal Agreement) (see The Protocol on Ireland / Northern Ireland was renamed by Decision No 1/2023 of the Joint Committee established by the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 laying down arrangements relating to the Windsor Framework).

² UK ratification 1951 and given further domestic effect by the Human Rights Act 1998.

³ UK ratification 1962. The UK has signed, but not ratified, the CoE Revised European Social Charter 1991.

⁴ UK ratification 1998.

⁵ UK ratification 1969.

⁶ UK ratification 1976.

⁷ UK ratification 1976.

⁸ UK ratification 1986.

⁹ UK ratification 1991.

- UN Convention on the Rights of Persons with Disabilities 2006 (UN CRPD).¹⁰

1.3 In addition to these treaty obligations, the following declarations and principles provide further guidance, and are often used as an aid to interpretation, in respect of specific areas:

- UN Committee on the Elimination of All Forms of Discrimination Against Women (UN CEDAW Committee) General Recommendation No 6;¹¹
- UN Committee on Economic, Social and Cultural Rights (UN ICESCR Committee) General Comment No 13;¹²
- UN ICESCR Committee General Comment No 1;¹³
- UN ICESCR Committee General Comment No 3;¹⁴
- UN ICESCR Committee General Comment No 14;¹⁵
- UN Committee on the Elimination of All Forms of Racial Discrimination (UN CERD Committee) General Recommendation No 29;¹⁶
- UN Committee on the Rights of the Child (UN CRC Committee) General Comment No 5;¹⁷
- UN ICESCR Committee General Comment No 19;¹⁸
- UN ICESCR Committee General Comment No 20;¹⁹
- UN ICESCR Committee General Comment No 23;²⁰
- UN CRC Committee Concluding Observations on the UK 2016;²¹
- UN ICESCR Committee Concluding Observations on the UK 2016;²²
- UN CERD Committee Concluding Observations on the UK 2016;²³

¹⁰ UK ratification 2009.

¹¹ 'UN CEDAW Committee General Recommendation No 6: Effective National Machinery and Publicity', 1988.

¹² E/C.12/1999/10, 'UN ICESCR Committee General Comment No 13: Right to Education', 8 December 1999.

¹³ CRC/GC/2001/1, 'UN CRC Committee General Comment No 1: Aims of Education', 17 April 2001.

¹⁴ E/1991/23, 'UN ICESCR Committee General Comment No 3: The Nature of States Parties' Obligations', 14 December 1990.

¹⁵ E/C.12/2000/4, 'UN ICESCR Committee General Comment No 14: Right to the Highest Attainable Standard of Health', 11 August 2000.

¹⁶ 'UN CERD Committee General Recommendation No 29: Descent', August 2002.

¹⁷ CRC/GC/2003/5, 'UN CRC Committee General Comment No 5: General Measures of Implementation of the UN CRC', 27 November 2003.

¹⁸ E/C.12/GC/19, 'UN ICESCR Committee General Comment No 19: Right to Social Security', 4 February 2008.

¹⁹ E/C.12/GC/20, 'UN ICESCR Committee General Comment No 20: Non-Discrimination in Economic, Social and Cultural Rights', 2 July 2009.

²⁰ E/C.12/GC/23, 'UN ICESCR Committee General Comment No 23: Right to Just and Favourable Conditions of Work', 27 April 2016.

²¹ CRC/C/GBR/CO/5, 'UN CRC Committee Concluding Observations on the Fifth Periodic Report of the UK of Great Britain and NI', 12 July 2016.

²² E/C.12/GBR/CO/6, 'UN ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 14 July 2016.

²³ CERD/C/GBR/CO/21-23, 'UN CERD Committee Concluding Observations on the Twenty-first to Twenty-third Periodic Reports of UK', 26 August 2016.

- UN Committee on the Rights of Persons with Disabilities (UN CRPD Committee) Concluding Observations on the UK 2017;²⁴
- UN CEDAW Committee Concluding Observations on the UK 2019;²⁵ and
- Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, E Tendayi Achiume, on the UK 2019.²⁶

1.4 The NIHRC also advises on the UK Government’s commitment in Windsor Framework Article 2 to ensure there is no diminution of rights, safeguards and equality of opportunity in the relevant section of the Belfast (Good Friday) Agreement as a result of the UK’s withdrawal from the EU. This is given effect in UK law by section 7A of the EU (Withdrawal) Act 2018. In addition, section 6 of the NI Act 1998 prohibits the NI Assembly from making any law which is incompatible with Windsor Framework Article 2. Section 24 of the 1998 Act also requires all acts of NI Ministers and NI Departments to be compatible with Windsor Framework Article 2. The relevant EU measures in this context include:

- EU Racial Equality Directive;²⁷
- EU Framework Equality Directive;²⁸
- EU Pay Transparency Directive;²⁹
- EU Directive on Standards for Equality Bodies.³⁰

1.5 The NIHRC welcomes the opportunity to respond to the Executive Office’s consultation on the Framework for Race Relations, 2026 (Draft Framework).³¹ On 7 May 2026, the UK Supreme Court delivered its

²⁴ CRPD/C/GBR/CO/1, 'UN CRPD Committee Concluding observations on the Initial Report of the UK of Great Britain and NI', 3 October 2017.

²⁵ CEDAW/C/GBR/CO/8, 'UN CEDAW Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI', 14 March 2019.

²⁶ A/HRC/41/54/Add.2, 'Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance: Visit to the UK of Great Britain and NI', 27 May 2019.

²⁷ Directive 2000/43/EC, 'EU Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin', 29 June 2000.

²⁸ Directive 2000/78/EC, 'EU Council Directive on Establishing a General Framework for Equal Treatment in Employment and Occupation', 27 November 2000.

²⁹ Directive 2023/970/EU, 'EU Parliament and Council Directive to strengthen the application of the principle of equal pay for equal work or work of equal value, between men and women through pay transparency and enforcement mechanisms', 10 May 2023.

³⁰ Directive 2024/1499/EU, 'EU Council Directive on Standards for Equality Bodies in the Field of Equal Treatment Between Persons Irrespective of their Racial or Ethnic Origin, Equal Treatment in Matters of Employment and Occupation Between Persons Irrespective of their Religion or Belief, Disability, Age or Sexual Orientation, Equal Treatment Between Women and Men in Matters of Social Security and in the Access to and Supply of Goods and Services, and Amending Directives 2000/43/EC and 2004/113/EC', 7 May 2024.

³¹ The Executive Office, 'Race Relations'. Available at: Consultation on the Framework for Race Relations| The Executive Office (executiveoffice-ni.gov.uk).

judgment in *Dillon*, which considers Windsor Framework Article 2.³² The NIHRC is currently considering this judgment in relation to the non-diminution commitment and will provide further advice on Windsor Framework Article 2 and relevant EU obligations in due course. The advice below deals with obligations arising under the Equality Directives listed in Annex 1 to the Windsor Framework, which are not addressed by the *Dillon* judgment.

2.0 Human Rights Standards

2.1 The NIHRC welcomes the explicit reference to the UN CERD as one of the key international instruments that has shaped the development of the draft Framework. However, the UK Government has ratified a number of human rights instruments that provide additional protection for ethnic minorities, which have not been included in the draft Framework. To reflect those additional instruments within this draft would strengthen it. To omit appropriate reference is a missed opportunity. The prohibition of racial discrimination is enshrined in all core international human rights instruments³³, including but not limited to UN ICESCR, UN CRC, UNCRPD and UN ICCPR. While the Draft Framework is necessarily high-level and cannot reference every human rights standard, it should nonetheless ensure that all the relevant international obligations are embedded to guarantee full compliance in practice as well as theory. In addition, while the Draft Framework is centred on racial equality, as highlighted by its key outcomes, it engages broader economic, social, cultural rights, and civil and political rights, including the right to education,³⁴ the right to the

³² *In the matter of an application by Martina Dillon and others for Judicial Review* [2026] UKSC 15.

³³ UN Office of the High Commissioner for Human Rights (OHCHR), 'National Action Plans against Racial Discrimination', August 2013, at iii.

³⁴ Article 13, UN Covenant on Economic, Social and Cultural Rights 1966; Articles 28 and 29, UN Convention on the Rights of the Child 1989; Article 10, UN Convention on the Elimination of Discrimination Against Women 1979; Article 5(e)(v), UN Convention on the Elimination of Racial Discrimination 1965; Article 24, UN Convention on the Rights of Persons with Disabilities 2006; E/C.12/1999/10, 'UN ICESCR Committee General Comment No 13: The Right to Education', 8 December 1999, at paras 43-46; CRC/GC/2001/1, 'UN CRC Committee General Comment No 1: The Aims of Education', 17 April 2001; CRPD/C/GC/4, 'UN CRPD Committee General Comment No 4: The Right to Inclusive Education', 25 November 2016, at paras 39-43; Article 2 of the Protocol 1, European Convention on Human Rights 1950 (Protocol 1 was adopted in 1952).

highest attainable standard of health,³⁵ the right to work,³⁶ the right to be freed from discrimination,³⁷ and access to justice.³⁸

2.2 The United Nations Office of the High Commissioner for Refugees (UN OHCHR), has stated that a National Action Plan against Racial Discrimination should also:

take into account the recommendations of the Committee on the Elimination of Racial Discrimination, the Committee on Migrant Workers and other human rights treaty bodies that monitor the implementation of the core international human rights treaties, as well as those of Charter-based bodies like the Human Rights Council and its special procedures.³⁹

2.3 In addition, it should give due consideration to and reflect the observations and recommendations made:

during the universal periodic review and/or by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on the rights of indigenous peoples, the Special

³⁵ Article 12, UN Covenant on Economic, Social and Cultural Rights 1966; Article 24, UN Convention on the Rights of the Child 1989; Article 12, UN Convention on the Elimination of Discrimination against Women 1979; Article 25, UN Convention on the Rights of Persons with Disabilities 2006; Article 5(e)(iv), UN Convention on the Elimination of Racial Discrimination 1965; E/C.12/2000/4, 'UN ICESCR Committee General Comment No 14: The Right to the Highest Attainable Standard of Health', 11 August 2000, at paras 30-33; CRC/C/GC/15, 'UN CRC Committee General Comment No 15: The Right of the Child to the Highest Attainable Standard of Health', 17 April 2013, at paras 71-74; 'UN CEDAW Committee General Recommendation No 24: Women and Health', 1999.

³⁶ Article 6, UN International Covenant on Economic, Social and Cultural Rights 1966; Article 5(e)(i), UN Convention on the Elimination of Racial Discrimination 1965; Article 11(1), UN Convention on the Elimination of Discrimination against Women 1979; Article 32, UN Convention on the Rights of the Child 1989; Article 27, UN Convention on the Rights of Persons with Disabilities 2006; Article 1, European Social Charter 1961; E/C.12/GC/18, 'UN ICESCR Committee General Comment No 18: The Right to Work', 6 February 2006, at para 31; 'UN CEDAW Committee General Recommendation No 13: Equal Remuneration for Work of Equal Value', 1989; CRPD/C/GC/8, 'UN CRPD Committee General Comment No 8: the Right of Persons with Disabilities to Work and Employment', 7 October 2022, at paras 63-64.

³⁷ Article 2(2), UN Covenant on Economic, Social and Cultural Rights 1966; Article 2(1), UN Covenant on Civil and Political Rights 1966; Article 2, UN Convention on the Elimination of Racial Discrimination 1965; Article 2, UN Convention on the Elimination of Discrimination against Women 1979; Article 2, UN Convention on the Rights of the Child 1989; Article 5, UN Convention on the Rights of Persons with Disabilities 2006; Article 14, European Convention on Human Rights 1950. See also E/C.12/GC/20, 'UN ICESCR Committee General Comment No 20: Non-Discrimination in Economic, Social and Cultural Rights', 2 July 2009, at para 7; 'UN Human Rights Committee General Comment No 18: Non-Discrimination', 1989, at para 3; 'UN CERD Committee General Recommendation No 20: Non-Discrimination in the Implementation of Rights', 1996, at para 1; CEDAW/C/GC/28, 'UN CEDAW Committee General Recommendation No 28: Core Obligations under Article 2' 16 December 2010, at paras 8-13; CRC/GC/2003/5, 'UN CRC Committee General Comment No 5: General Measures of Implementation', 27 November 2003, at para 12; CRPD/C/GC/6, 'UN CRPD Committee General Comment No 6: Equality and Non-Discrimination', 26 April 2018, at paras 4-7.

³⁸ Articles 5 and 6, European Convention on Human Rights 1950; Articles 14-16, UN International Covenant on Civil and Political Rights 1966; Article 5(a), UN Convention on the Elimination of All Forms of Racial Discrimination 1965; Article 15, UN Convention on the Elimination of Discrimination Against Women 1981; Article 13, UN Convention on the Rights of Persons with Disabilities 2006.

³⁹ UN Office of the High Commissioner for Human Rights (OHCHR), 'Developing national action plans against racial discrimination', 2014, at 9.

Rapporteur on the human rights of migrants, the independent expert on minority issues as well as by the Durban follow-up mechanisms, including the Working Group of Experts on People of African Descent and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.⁴⁰

- 2.4 The UN OHCHR further recommends that the content of each should, at a minimum, align with the standards established in international human rights instruments as interpreted by their relevant treaty bodies.⁴¹
- 2.5 Windsor Framework Article 2 requires the UK Government and NI Executive to ensure that there is no diminution of rights, safeguards and equality of opportunities contained in the relevant part of the Belfast (Good Friday) Agreement 1998, as a result of the UK's withdrawal from the EU. The rights listed in the 1998 Agreement include the "civil rights ... of everyone in the community" and in particular, the right to "equal opportunity in all social and economic activity, regardless of ... ethnicity".
- 2.6 In addition to the non-diminution obligation, Article 2 provides particular protection in respect of non-discrimination and references Annex 1 of the Windsor Framework, which lists six EU Equality Directives. Article 13 of the Windsor Framework states that a reference to any EU law in the Windsor Framework is to that measure "as amended or replaced." Taken together, Article 2 and Article 13 require that NI law "keeps pace" with any improvements to minimum standards of equality protection enshrined in the six EU Equality Directives listed, which include the EU Racial Equality Directive.⁴² For other EU obligations, the UK Government and NI Executive's commitment is measured by the relevant EU standards as they were on 31 December 2020. The dynamic alignment (keeping pace) obligation requires adherence, on an ongoing basis, to relevant CJEU case law.⁴³

⁴⁰ UN Office of the High Commissioner for Human Rights (OHCHR), 'Developing national action plans against racial discrimination', 2014, at 9.

⁴¹ UN Office of the High Commissioner for Human Rights (OHCHR), 'Developing national action plans against racial discrimination', 2014, at 21.

⁴² Directive 2000/43/EC, 'EU Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin', 29 June 2000.

⁴³ Article 13, Ireland/NI Protocol to the UK-EU Withdrawal Agreement 2020. See NI Human Rights Commission and Equality Commission for NI, 'Annual Report of the NI Human Rights Commission and the Equality Commission for NI on the Implementation of Article 2 of the Windsor Framework 2023-2024' (NIHRC and ECNI, 2024), at para 3.87-3.88. See also NI Human Rights Commission, 'Annual Statement 2025 – Human Rights in NI' (NIHRC 2025) at 116-124. UK

- 2.7 **The NIHRC recommends that the Executive Office references the core human rights instruments, including Windsor Framework Article 2, within the Draft Framework for Race Relations, ensuring that the obligations flowing from these human rights standards are embedded throughout the Framework to ensure practical compliance. The Ending Violence Against Women and Girls Strategic Framework 2024-2031 provides a good example of how this has been done.**

Overarching Comment/ Assessment

- 2.8 The Draft Framework sets out a clear strategic vision but remains high-level. It does not provide the required level of operational detail and lacks sufficient detail on clear actionable goals, measurable outcomes, performance indicators, delivery responsibilities and enforcement mechanisms. As drafted, therefore, it risks operating as a high-level policy document statement rather than as an accountable national action plan, with inadequate budgetary provision and weak monitoring and evaluation arrangements.
- 2.9 The Draft Framework identifies four broad outcomes which are as follows: (1) Elimination of Racial Inequality (2) Combatting Racism & Race Hate Crime (3) Equality of Service Provision, and (4) Community Cohesion. These outcomes are to be delivered through primary, secondary and tertiary interventions. However, the Draft Framework uses high-level language and, as such, many of the interventions lack sufficient operational detail and do not specify the specific actions required. Moreover, they do not adequately identify and target the particular groups or beneficiaries or contain clear guidance on timetabling.
- 2.10 For example, under Outcome 1 the second intervention to “embed racial equality across government and societal structures” and the fifth intervention, to “launch a refreshed Minority Ethnic Development Fund” lack clarity on which societal structures will be prioritised in the first two years, and which focus areas the Minority Ethnic Development Fund will support. Similarly, the third intervention to “embed cultural awareness and

anti-racism training across public services,” listed under Outcomes 1 and 2, does not identify the target groups or set performance indicators. Under Outcome 4, the seventh intervention, to “complete an initial round of community-led reviews to develop plans on key topics” provides no indication of the prioritised topics. This lack of specificity exemplifies the high-level language used throughout the document.

2.11 A key source of guidance relevant to the Draft Framework is the UN OHCHR publication focusing on National Action Plans against Racial Discrimination which describes a national action plan, as an:

action-oriented document which, instead of setting forth claims and vague promises, sets out practical goals, devises programmes and activities to ensure the achievement of these goals, allocates sufficient resources, and develops evaluation mechanisms, all with the aim of eliminating racial discrimination.⁴⁴

2.12 In addition, it further states that each National Action Plan against Racial Discrimination should clearly describe the current situation, identify the problems to be addressed, specify and prioritise the actions to be taken, assign responsibility, establish timeframes and budgets, and provide for effective monitoring and evaluation.⁴⁵

2.13 **The NIHRC recommends that the Executive Office strengthens the Draft Framework in line with the United Nations Office of the High Commissioner for Human Rights guidance on National Action Plans against Racial Discrimination, to ensure it is action-oriented and capable of effective implementation. In particular, the Draft Framework should set out more concrete and measurable actions to be undertaken, with targeted goals, performance indicators, clear assigned responsibilities, defined timeframes and adequate budgetary provision, and arrangements for monitoring, evaluation, across all four outcomes.**

⁴⁴ UN Office of the High Commissioner for Human Rights, National Action Plans against Racial Discrimination, August 2013, at 1(One-pager).

⁴⁵ UN Office of the High Commissioner for Human Rights, National Action Plans against Racial Discrimination, August 2014, at 11.

- 2.14 The NIHRC notes that the Draft Framework and the accompanying Draft Equality Impact Assessment and the Child’s Rights Impact Assessment refer to a number of United Nations and Council of Europe human rights standards and recommendations from oversight bodies (UN CERD, CoE Committee of Experts on Roma and Traveller Issues, and European Commission against Racism and Intolerance). However, Windsor Framework Article 2 is not listed among the human rights standards that shaped the Draft Framework, nor in any accompanying draft impact assessment. The commitment to the non-diminution of rights under Windsor Framework Article 2 includes the setting of minimum EU standards relevant to racial equality and the obligation to keep pace with certain EU advancements in this area. Given its clear relevance to this area and the legally binding nature of the accompanying obligations, it is concerning that consideration of Windsor Framework Article 2 has been completely omitted from the Draft Framework.
- 2.15 In particular, as the NIHRC notes with some concern that the Draft Framework makes no reference to the EU Racial Equality Directive, which is subject to dynamic alignment as outlined above.⁴⁶ The EU Racial Equality Directive prohibits direct or indirect discrimination on the grounds of racial or ethnic origin, in the areas of employment, vocational training, social protection including social security and healthcare, social advantages such as financial assistance, education, and access to goods and services including housing. The EU is currently in the process of considering revisions to strengthen the Racial Equality Directive.⁴⁷ As NI race equality law will be obliged to keep pace with any such enhancements, it would be appropriate to acknowledge this obligation explicitly and the direct relevance of the Racial Equality Directive within the Draft Framework.
- 2.16 **The NIHRC recommends that the Executive Office ensures that the Draft Framework for Race Relations is accompanied by a full Human Rights Impact Assessment outlining all relevant human rights standards. This should include details of how Windsor Framework Article 2 obligations have been considered and how they will be monitored and implemented under the Framework.**

⁴⁶ Directive 2000/43/EC, 'EU Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin', 29 June 2000.

⁴⁷ EU Commission, '[EU Anti-racism Strategy 2026-2023](#)' (EU Commission, 2026), at 6.

- 2.17 **The NIHRC recommends that the Executive Office, monitors any proposed changes by the EU to the Racial Equality Directive, including relevant case law of the CJEU, in the development and implementation of the Framework for Race Relations, and that explicit reference is made within the Framework as to how any enhancements will be incorporated into NI equality law.**
- 2.18 The NIHRC welcomes the acknowledgement in the Draft Framework that “intersecting identities (e.g. gender, disability, migration status) shape experiences of racism” and that “individuals may face multiple and overlapping forms of disadvantage based on factors such as gender, disability, age, religion, or migration status”. However, the Draft Framework falls short of acknowledging the relevant existing standards which NI Executive departments are obliged to meet in relation to intersectional discrimination.
- 2.19 Recitals to the EU Racial Equality Directive state that in the implementation of the Directive, Member States should aim to eliminate inequalities and in particular notes that women are often the victims of multiple discrimination.⁴⁸ The CJEU has stopped short of recognising intersectional discrimination, in and of itself, as a protected category, however, in the case of *CHEZ*, the court demonstrated the intersectional potential of the EU Race Equality Directive, where it found discrimination on the basis of ethnic origin, socio-economic disadvantage, and location.⁴⁹
- 2.20 More recently, the EU Pay Transparency Directive has updated the definition of discrimination to include ‘intersectional discrimination’ which it defines as “discrimination based on a combination of sex and any other ground or grounds of discrimination protected under Directive 2000/43/EC [EU Racial Equality Directive] or 2000/78/EC [EU Framework Directive]”.⁵⁰ This reflects growing acknowledgement of the importance of addressing discrimination experience on an intersectional basis, including where race and ethnicity intersect with sex in employment and pay inequality. The NIHRC and the Equality Commission for NI consider that the Pay Transparency Directive amends and replaces provisions in Directives listed

⁴⁸ Recital 14, Directive 2000/43/EC, ‘EU Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin’, 29 June 2000.

⁴⁹ *CHEZ Razpredelenie Bulgaria AD v Komisia za zashtita ot diskriminatsia*, C-83/14, 16 July 2015.

⁵⁰ Article 3(e), Directive 2023/970/EU, ‘EU Parliament and Council Directive to strengthen the application of the principle of equal pay for equal work or work of equal value, between men and women through pay transparency and enforcement mechanisms’, 10 May 2023.

in Windsor Framework Annex 1, therefore triggering the 'keeping pace' obligation requiring dynamic alignment with evolving EU equality standards to ensure effective protection against discrimination.⁵¹

- 2.21 **The NIHRC advises the Executive Office and the Department of Communities that, in accordance with the dynamic alignment obligation relating to Windsor Framework Articles 2 and 13, the definition of discrimination in relevant NI equality law should be amended to include “intersectional discrimination” aligned to the relevant provisions of the EU Pay Transparency Directive.**

3.0 Detailed Commentary on the Four Outcomes

- 3.1 In the view of the NIHRC, the draft Framework's lack of alignment with the UN OHCHR guidance on national action plans, particularly in relation to specific actions or activities, targeted goals, performance indicators, timeframes, assigned responsibilities, budgets and monitoring represents a significant oversight.
- 3.2 The Draft Framework clearly states that it builds upon the foundation laid by the Racial Equality Strategy 2015-2025⁵² and seeks to carry its vision forward. In 2023, the NI Executive Office committed to an independent review of the progress of the Strategy's implementation⁵³, the findings of which were published in 2024.⁵⁴ The review found that the Strategy was undermined by the lack of an action plan, the absence of effective ethnic monitoring, and that greater focus on governance could have enhanced its impact.⁵⁵
- 3.3 In the view of the NIHRC, the Draft Framework continues to exhibit the same shortcomings identified in the Strategy. As the Strategy provided the foundation for the draft Framework, the lessons learned from its implementation should be clearly acknowledged and addressed to strengthen and enhance the Framework.

⁵¹ Equality Commission for NI and NI Human Rights Commission, 'Briefing Paper: The EU Pay Transparency Directive: The UK Governments dynamic alignment obligations relating to Windsor Framework Article 2' (ECNI and NIHRC, 2024).

⁵² The Executive Office, 'Racial Equality Strategy 2015-2025' (TEO, 2015).

⁵³ The Executive Office, 'Racial Equality'. Available at: Racial Equality | The Executive Office (executiveoffice-ni.gov.uk).

⁵⁴ Sabir Zazai, 'Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25: Final Report', 2024 at 2.

⁵⁵ Sabir Zazai, 'Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25: Final Report', 2024 at 2.

- 3.4 **The NIHRC recommends that the Executive Office gives due regard to the findings of the independent review and its own identified responses and ensure that the shortcomings identified in the Racial Equality Strategy are not carried forward into the new Framework but instead addressed in a way that strengthens and enhances it.**
- 3.5 To be more specific, the paragraphs below set out key points to consider under each key outcome.

4.0 Outcome 1: Elimination of Racial Inequality

To eliminate racial inequalities and promote equality of opportunity in all aspects of economic, social, cultural, political and public life. This includes a focus on capacity building, community development and celebration of cultural identity.

Race Relations Legislation

- 4.1 The first key intervention of Outcome 1 of the Draft Framework is to, “drive systemic change by enacting updated Race Relations legislation”. The NIHRC particularly welcomes this commitment. This intervention builds on the achievements of the Racial Equality Strategy 2015–2025.
- 4.2 In addition, the Executive Office, should continue to monitor any proposed changes to the EU Racial Equality Directive in the development of updated race relations legislation, in line with its obligations under Windsor Framework Articles 2 and 13. This should include relevant case law of the CJEU.⁵⁶ For example, the NIHRC considers that the EU Standards for Equality Bodies Directive amends and replaces provisions of the Racial Equality Directive. This was also accepted by the UK Government when the Directive was at proposal stage.⁵⁷ The Directive strengthens the effectiveness of equality bodies in upholding protections against discrimination, including those derived from the Racial Equality Directive.

⁵⁶ In line with Article 13(2) of the Windsor Framework, “the provisions of this Protocol referring to Union law or to concepts or provisions thereof shall in their implementation and application be interpreted in conformity with the relevant case law of the Court of Justice of the European Union (CJEU)”.

⁵⁷ Letter from the Minister of State for NI, Steve Baker, to the Chair of the House of Lords Sub Committee on the Protocol on Ireland/NI, 18 September 2023.

Adherence to EU Standards for Equality Bodies Directive will enhance minimum requirements for assistance to victims and enforceability under the Race Equality Directive.⁵⁸ In addition, as noted above, any update to the race relations legislation in NI, should reflect the obligation in the EU Pay Transparency Directive to ensure the definition of discrimination includes intersectional discrimination.⁵⁹

- 4.3 However, the enactment of legislation alone is insufficient. To achieve meaningful practical change, legislative reform must be supported by education and awareness-raising measures.
- 4.4 Article 7 of the UN CERD imposes an obligation on States to adopt immediate and effective measures, particularly in teaching, education, culture and information, with a view to combating prejudice which leads to racial discrimination. Consistent with such obligations the UN OHCHR states that, a Nation Action Plan against Racial Discrimination may entail, “programmes for promoting greater awareness and understanding of the prohibition of racial discrimination” and “campaigns to ensure that the general public is made aware of the legislation combating racial discrimination.”⁶⁰
- 4.5 **The NIHRC recommends that, to ensure compliance with Windsor Framework Articles 2 and 13, any updates to NI Race Relations legislation must reflect any changes to the EU Racial Equality Directive which enhance rights, including those already introduced by the Standards for Equality Bodies Directive, and relevant CJEU jurisprudence.**
- 4.6 **The NIHRC welcomes the Executive Office’s proposals to enact updated Race Relations legislation and recommends this is supported by effective education and awareness-raising programmes on anti-racism, equality and anti-discrimination aimed at public officials, civil society, the media, and the wider public.**

⁵⁸ Directive 2024/1499/EU, ‘EU Council Directive on Standards for Equality Bodies in the Field of Equal Treatment Between Persons Irrespective of their Racial or Ethnic Origin, Equal Treatment in Matters of Employment and Occupation Between Persons Irrespective of their Religion or Belief, Disability, Age or Sexual Orientation, Equal Treatment Between Women and Men in Matters of Social Security and in the Access to and Supply of Goods and Services, and Amending Directives 2000/43/EC and 2004/113/EC’, 7 May 2024.

⁵⁹ See also para 2.16-2.19 above for analysis the EU Pay Transparency Directive.

⁶⁰ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 55.

- 4.7 **The NIHRC recommends that the Executive Office implements systematic monitoring and impact assessment measures of new legislation, to ensure that it does not contribute to the perpetuation of racial discrimination.**

Awareness Raising Interventions

- 4.8 Overall, the key interventions under Outcome 1 reflect the broader high-level tone of the Draft Framework and are expressed in overly general terms. As a result, they do not sufficiently set out how structural racial inequality will be addressed in practice. There is a lack of clarity regarding the specific actions to be taken, the intended target groups, the performance indicators and the bodies responsible for implementation.
- 4.9 The second, third and fourth key interventions under Outcome 1 warrant particular attention. The Draft Framework states that the Executive Office will seek to, “embed racial equality across government and societal structures”, “embed cultural awareness and anti-racism training across public services”, and “expand educational opportunities to reflect diverse histories and cultures, raising aspirations and increasing attainment.” While these interventions are important, they are framed in broad terms and lack sufficient detail. In particular, the Draft Framework does not specify how these actions will be implemented in practice, which government departments, public services or schools will be targeted, or who the intended beneficiaries are. In relation to educational opportunities, it is also unclear which level or levels of education are being addressed.
- 4.10 States have a duty to raise public awareness about racial discrimination and to ensure that public and private educational establishments provide education aimed at combating it.⁶¹ This obligation may be fulfilled (according to the UN OHCHR) by “programmes to promote a greater knowledge of and respect for the heritage and culture of groups facing racial discrimination”, “training programmes for public officials to eliminate discriminatory behaviour on the part of public servants and racial profiling by law enforcement officers”.⁶² UN OHCHR recommends further

⁶¹ Article 7, UN Convention on the Elimination of Racial Discrimination 1965.

⁶² UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 56.

that such education and training initiatives be ongoing, sustained and institutionalised in order to ensure continuity and long-term impact.⁶³

- 4.11 While the second, third and fourth key interventions under Outcome 1 seek to raise awareness and are important, the lack of sufficient detail and the absence of clear performance indicators, means that they are not measurable. UN OHCHR guidance is clear that national action plans should be action-oriented, with defined measures to support implementation, enable the assessment of progress, and clearly specify who is responsible for taking the actions.⁶⁴
- 4.12 **The NIHRC recommends that the Executive Office strengthens the key interventions under Outcome 1 by setting out concrete and measurable actions or activities, including clear targets, intended beneficiaries, performance indicators, assigned responsibilities, and defined timeframes for delivery, to enable effective assessment of progress.**

Minority Ethnic Development Fund

- 4.13 The fifth key intervention under Outcome 1, which is also referenced under Outcome 4, is to, “launch a refreshed Minority Ethnic Development Fund that is effective in delivering the outcomes of the Framework.” The Minority Ethnic Development Fund provides essential support to voluntary and community organisations working with minority ethnic people and groups in NI. While the inclusion of the Minority Ethnic Development Fund is welcome and critical, given its role as the main funding mechanism for delivering the draft Framework, the current formulation of this intervention remains overly broad. There is no clarity on how the funding will be allocated across the draft Framework’s priorities.
- 4.14 In addition, concerns have been raised regarding delays in payments from the fund to recipients, linked to delays in approved budgets, which undermined effective delivery of the Racial Equality Strategy 2015-2025.⁶⁵

⁶³ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 56.

⁶⁴ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 11.

⁶⁵ Sabir Zazai, ‘Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25: Final Report’, (TEO, 2024), at 11-12.

4.15 **The NIHRC recommends that the Executive Office sets out the budget required for the implementation of the Framework’s Delivery Plan and takes the steps necessary to ensure that the Minority Ethnic Development Fund is released in a timely manner to avoid delays that could undermine delivery.**

Misinformation

- 4.16 The NIHRC welcomes the inclusion of misinformation as one of the key issues under Outcome 1, recognising that misinformation can perpetuate racial inequalities if left unaddressed. It is also important to note that closely related to this issue, disinformation constitutes a critical issue that warrants explicit inclusion.
- 4.17 Article 2(1) and Article 26 of the UN ICCPR provide individuals the right to non-discrimination, which misinformation and disinformation can violate if it is targeted to a particular societal group like racial and minority ethnic groups.⁶⁶ The enjoyment of a broad range of fundamental economic, social and cultural rights for these groups can be affected by misinformation and disinformation. Addressing these issues therefore requires action by a broad range of key stakeholders.
- 4.18 In the context of misinformation and disinformation regarding racial and minority ethnic communities, Articles 4 and 5 of the UN CERD require States to take effective action to prevent the spread of discriminatory misinformation and disinformation inciting hate against these communities to promote equality for those under their jurisdiction.
- 4.19 In addition, minority ethnic communities must be supported and empowered to raise and challenge issues concerning misinformation and disinformation. However, communication barriers remain a significant obstacle in this regard.
- 4.20 **The NIHRC recommends that the Executive Office explicitly include disinformation as a key issue to be addressed under Outcome 1 and consider measures such as the provision of language classes**

⁶⁶ Global Partners Digital, 'UN Special Rapporteur on Freedom of Opinion and Expression: Report on Disinformation Consultation' (GPD, 2021).

and interpretation services to empower and assist racial and minority ethnic communities to report and challenge misinformation and disinformation.

- 4.21 **The NIHRC also recommends that the Executive Office considers the inclusion of initiatives aimed at promoting media literacy and encourage fact-checking of online sources, to build greater resilience to misinformation and disinformation.**
- 4.22 **The NIHRC also recommends that the Executive Office considers translating the Framework into the indigenous, regional and minority languages spoken in NI, to enhance accessibility and engagement.**

Racial Equality Subgroup

- 4.23 The Draft Framework refers to the Racial Equality Subgroup, which comprises of individuals working with or representing minority ethnic people and groups. The Subgroup is cited several times throughout the Framework as one of the key bodies involved in implementation. Under Outcome 1, the sixth key intervention is to “enhance linkages and improve communication between the Racial Equality Subgroup and wider minority ethnic communities”. In addition, the Subgroup is assigned a key governance role in receiving quarterly reports to support collaboration.
- 4.24 Concerns have been raised regarding the funding and capacity of the Racial Equality Subgroup as well as whether its submissions are meaningfully considered and acted upon.⁶⁷ The independent review of the Racial Strategy, which placed significant responsibility on the Subgroup for implementation identified two critical questions, that is whether the Executive Office listens to the Subgroup, and whether the Subgroup has sufficient power to drive actions forward.⁶⁸ Given the responsibilities assigned to the Subgroup, this presents an opportunity for the Executive Office to revisit, review and clarify the Subgroup’s terms of reference in relation to its role as a key implementing body.

⁶⁷ Sabir Zazai, ‘Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25: Final Report’ (TEO, 2024), at 17.

⁶⁸ Sabir Zazai, ‘Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25: Final Report’ (TEO, 2024), at 17.

- 4.25 **The NIHRC recommends that the Executive Office revisits the Racial Equality Subgroup’s terms of reference to ensure that it will implement all key actions and that it considers increasing funding and support to build capacity in the Subgroup.**

5.0 Outcome 2: Combatting Racism and Hate Crime

To combat racism and race hate and to provide effective protection against all manifestations of racism and racist crime. To provide redress and to have a victim-centred approach.

Clarity on Scope and Focus

- 5.1 The explanation accompanying Outcome 2, “to combat racism and race hate and to provide effective protection against all manifestations of racism and racist crime”, requires more clarity and detail. It is framed in broad terms, lacks precision and its intended focus and scope is unclear. As such, greater clarity can be achieved by clearly identifying and defining the terms racism, race hate, and racist crime.
- 5.2 **The NIHRC recommends that the Executive Office rephrases the accompanying explanation of Outcome 2 to clearly articulate its objectives and to define the key terms of focus. The NIHRC advises that for guidance the Executive considers the definitions within the UN CERD.**

Victim-Centred Approach

- 5.3 In 2017, the UN CRPD Committee recommended that the UK Government and NI Executive:

explicitly incorporate in its national legislation protection from, in particular multiple and intersectional discrimination on the basis of gender, age, race, disability, migrant, refugee and/or other status,

and provide appropriate compensation, and redress for victims, and sanctions proportional with the severity of the violation.⁶⁹

- 5.4 The explanation accompanying Outcome 2 states that it seeks, “to provide redress and to have a victim-centred approach.” While the emphasis and focus on victims is welcome, the Draft Framework does not provide sufficient detail on how this will be operationalised through the proposed key interventions. In particular, the Draft Framework does not identify any advocacy activities, dedicated victim support services, or clear and accessible pathways from reporting to remedy.
- 5.5 **The NIHRC recommends that the Executive Office provides more detailed information on how a victim-centred approach will be delivered, including the provision of victim support services and the establishment of clear and accessible pathways from reporting to remedy.**

Racist Hate Crime

- 5.6 The first and third key issues identified under Outcome 2, namely “increase in race hate crime and racist incidents” and “low levels of trust in the justice system by minority ethnic communities”, are notable. While these issues are clearly identified, the corresponding key intervention, “increase engagement with minority ethnic communities to promote understanding of hate crime and increase reporting and trust in the criminal justice system” lacks sufficient detail and does not speak directly to the key issues identified. In particular, it does not specify how race hate crime and racist incidents will be reduced, nor how trust will be improved and how any improvements in trust will be measured.
- 5.7 The intervention focuses predominantly on minority ethnic communities and omits engagement with judicial officers, court clerks, other judicial personnel, social workers, law enforcement officials, the legal profession, media and journalists, despite their central role in tackling hate crime and building trust in the justice system.

⁶⁹ CRPD/C/GBR/CO/1, ‘UN CRPD Committee Concluding observations on the Initial Report of the UK of Great Britain and NI’, 3 October 2017, at para 19.

- 5.8 Racist hate crime and hate incidents are increasing in NI.⁷⁰ Ireland recently introduced hate crime legislation in 2024 to address gaps in its law.⁷¹ However unlike in Great Britain, NI has no standalone offence for prosecuting hate crime.⁷² Civil society organisations have raised concerns with the NIHRC that the police response to hate crime and hate incidents in NI is ineffective.⁷³ It is noted that the number of prosecutions for racially motivated hate crimes in NI remains low.⁷⁴
- 5.9 In August 2024, the UN CERD Committee recommended that the NI Executive “combat the proliferation of racist hate speech on the internet and social media, in close cooperation with internet service providers, social media platforms, and the communities most affected by racist hate speech.”⁷⁵ It also recommended that the NI Executive “adopts a comprehensive legal framework to combat racist hate crimes, take effective measures to ensure its implementation and continuous training to law enforcement officials, judges, and prosecutors on addressing and investigating hate crimes”.⁷⁶
- 5.10 In addition, the UN CERD Committee expressed specific concern about reports of paramilitary groups and affiliated individuals perpetrating acts of racist violence and intimidation in NI to deter persons belonging to ethnic minorities and migrants from accessing housing or establishing businesses.⁷⁷ It also raised concerns about information indicating that such incidents are underreported due to fear of reprisals, alongside concerns regarding the effectiveness of the response by the authorities and the police.⁷⁸

⁷⁰ Police Service NI, ‘Incidents and Crimes with a Hate Motivation Recorded by the Police Service NI’ (PSNI, 2023), at Table 1.

⁷¹ [Criminal Justice \(Hate Offences\) Act, 2024](#)

⁷² Police Service NI, ‘Incidents and Crimes with a Hate Motivation Recorded by the Police Service NI’ (PSNI, 2023), at Table 1.

⁷³ NI Human Rights Commission roundtable meeting with civil society organisations, 9 April 2024.

⁷⁴ Public Prosecution Service, ‘Statistical Bulletin: Cases Involving Hate Crime 1 April 2022 to 31 March 2023’ (PPS, 2023).

⁷⁵ CERD/C/GBR/CO24-26, ‘UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI’, 23 August 2024, at paras 20(a)-20(h).

⁷⁶ CERD/C/GBR/CO24-26, ‘UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI’, 23 August 2024, at paras 20(a)-20(h).

⁷⁷ CERD/C/GBR/CO24-26, ‘UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI’, 23 August 2024, at para 21.

⁷⁸ CERD/C/GBR/CO24-26, ‘UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI’, 23 August 2024, at para 21.

5.11 The UN CERD Committee recommended that the NI Executive:

adopt robust measures to prevent and combat paramilitary racist violence and intimidation against ethnic minorities and migrants in Northern Ireland, systematically collect information on these acts of violence and intimidation and ensure that cases of paramilitary racist violence and intimidation are promptly and effectively investigated, prosecuted and punished with appropriate sanctions and that victims have access to effective protection and redress.⁷⁹

5.12 The UN OHCHR states that a national action plan should not only identify what action will be taken, but who is obliged to take it and the time frame for completion, and set out the appropriate performance indicators and the monitoring and evaluation mechanisms.⁸⁰ The UN ICESCR Committee has clarified that there is an obligation to “monitor effectively the implementation measures to comply with” the right to non-discrimination and equality.⁸¹ It further states that “monitoring should assess both the steps taken and the results achieved in the elimination of discrimination. National strategies, policies and plans should use appropriate indicators and benchmarks, disaggregated based on the prohibited grounds of discrimination”.⁸² The UN CEDAW Committee and UN CRC Committee have made similar clarifications.⁸³

5.13 In addition, the UN OHCHR guidance states that a national action plan may entail “steps to better gauge the existence and extent of racial discrimination in the administration and functioning of the criminal justice system, and to establish anti-discrimination monitoring services within the administration of justice”.⁸⁴

5.14 The UN OHCHR also suggests undertaking measures to ensure that persons coming into contact with the police, the courts and the prison

⁷⁹ CERD/C/GBR/CO24-26, ‘UN CERD Committee Concluding Observations on the Combined Twenty-fourth to Twenty-sixth Periodic Reports of the UK of Great Britain and NI’, 23 August 2024, at para 22.

⁸⁰ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 11.

⁸¹ E/C.12/GC/20, ‘UN ICESCR Committee General Comment No 20: Non-discrimination in Economic, Social and Cultural Rights’, 2 July 2009, at para 41.

⁸² Ibid.

⁸³ ‘UN CEDAW Committee General Recommendation No 6: Effective National Machinery and Publicity’, 1988, at para 1(b); CRC/GC/2003/5, ‘UN CRC Committee General Comment No 5: General Measures of Implementation of the UN CRC’, 27 November 2003, at para 45.

⁸⁴ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 53.

system do not face racial discrimination by judicial and law enforcement authorities.⁸⁵

5.15 The NIHRC recommends that the Executive Office revises Outcome 2 to provide greater clarity on how victims of racist incidents, hate crime and paramilitary racist violence and intimidation will obtain redress and to set out the accountability and monitoring measure. The NIHRC advises that this should include the following:

- **Clear mechanisms to prevent and combat paramilitary racist violence and intimidation against ethnic minorities and migrants.**
- **Clear mechanisms for the systematic collection, analysis, and publication of accurate disaggregated data and statistics on racist and xenophobic offences, including incidents involving paramilitary groups.**
- **Data on the number of incidents reported to the police, the number of cases investigated and prosecuted, the reasons for decisions not to prosecute, and the outcomes of prosecuted cases.**

5.16 The NIHRC recommends that the Executive Office includes under Outcome 2 clear performance indicators, such as the percentage increase in reporting rates of race hate crime and racist incidents, the proportion of reported incidents of race hate crime and racist incidents leading to charges, and levels of victim satisfaction with police responses.

5.17 The NIHRC recommends that the Executive Office revises Outcome 2 to include concrete measures to analyse the nature and extent of racial discrimination within the criminal justice system, establish effective anti-discrimination monitoring services within the administration of justice.

5.18 The NIHRC recommends that the Executive Office strengthens the Framework by including training programmes aimed at eliminating racial or xenophobic prejudice among judges, other judicial

⁸⁵ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 53.

personnel and jury members, as well as specialised training on victims' needs for officials likely to come into contact with victims.

Awareness raising initiatives

5.19 The fourth intervention under Outcome 2, which seeks to “promote shared cultural awareness and understanding through education and awareness initiatives, including tackling misinformation and harmful narratives where relevant”, while important focuses heavily on awareness-raising and training rather than setting out practical actions, performance indicators and the targeted groups of such training. This is inconsistent with the UN OHCHR guidance, which emphasises that national action plans should be grounded in precise, concrete, achievable measures rather than general commitments.

5.20 **The NIHRC recommends that the Executive Office revises the fourth intervention under Outcome 2 to include clear practical steps on how to tackle misinformation and suggests including targeted engagements with the media, journalists and minority ethnic communities.**

5.21 The first key intervention under outcome 2, is to “review approaches to racially motivated and aggravated crime in tandem with access to justice for victims”. This intervention can be strengthened by setting out in detail the activities to be undertaken, the key departments or bodies responsible for implementation and the groups or stakeholders to be engaged.

5.22 Article 5(a) of the UN CERD requires States to guarantee:

the right of everyone, without distinction as to race, descent, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the right to equal treatment before the tribunals and all other organs administering justice.⁸⁶

5.23 Article 6 of UN CERD further requires States to:

assure to everyone within their jurisdiction effective protection and

⁸⁶ Article 5(a) UN Convention on the Elimination of Racial Discrimination 1965.

remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.⁸⁷

- 5.24 **The NIHRC recommends that the Executive Office strengthens the first key intervention under Outcome 2 by specifying concrete activities to be undertaken in reviewing approaches to racially motivated and aggravated crime and access to justice for victims, clearly identifying the responsible departments, and engaging key stakeholders, including the Department of Justice, judges, prosecutors, law-enforcement officials, and other relevant court and victim-support services.**

6.0 Outcome 3: Equality of Service Provision

To ensure that people from a minority ethnic background access and benefit equally from all public services

- 6.1 The EU Racial Equality Directive continues to set minimum standards in NI and prohibits direct or indirect discrimination based on racial or ethnic origin in access to public services, including social protection, healthcare, education, and access to goods and services including housing.⁸⁸ As previously referenced, the EU is currently considering revisions to strengthen the EU Racial Equality Directive and, under Windsor Framework Articles 2 and 13, NI race equality law will be obliged to keep pace with any enhancements of rights within the Directive. This is likely to require amendments to NI race equality within the lifespan on the Draft Framework and should be reflected within it. It would be useful to include in the Draft Framework a fuller picture of the legislative framework.
- 6.2 In addition, as outlined above, the EU has introduced a Directive on standards for equality bodies to bolster how such bodies support those

⁸⁷ Article 6 UN Convention on the Elimination of Racial Discrimination 1965.

⁸⁸ Directive 2000/43/EC, 'EU Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin', 29 June 2000.

seeking assistance.⁸⁹ The NIHRC considers that the EU Directive amends the Racial Equality Directive and therefore requires changes to NI equality law. Under Windsor Framework Articles 2 and 13, the NI Executive is required to bring forward legislation to reflect the enhanced redress mechanisms in areas covered by the Racial Equality Directive, including access to services.

- 6.3 Overall, the key interventions under Outcome 3 reflect the broader high-level tone of the Draft Framework and are expressed in overly general terms. As a result, they do not clearly set out how minority ethnic communities will access public services on an equal basis nor or how service providers will be held accountable for delivery.
- 6.4 **The NIHRC recommends that the Executive Office amends the Draft Framework for Race Relations to reflect its obligations relating to equality of service provision under the EU Racial Equality Directive and relevant CJEU case law.**

Language Barriers in Access to Services

- 6.5 The NIHRC welcomes the inclusion of, “language barriers in access to services” as one of the key issues identified to be addressed under Outcome 3. However, the Draft Framework does not include a corresponding intervention setting out how this issue will be addressed within the key interventions. The NIHRC has previously noted reports of a lack of access to translation and interpretation services.⁹⁰
- 6.6 State support for racial and minority ethnic communities, such as language classes and interpretation services, have often been found to be inadequate.⁹¹ Such support is crucial to empower communities to access public services on an equal basis and to report, challenge and seek redress for barrier to access, including discrimination.

⁸⁹ Directive 2024/1499/EU, 'EU Council Directive on Standards for Equality Bodies in the Field of Equal Treatment Between Persons Irrespective of their Racial or Ethnic Origin, Equal Treatment in Matters of Employment and Occupation Between Persons Irrespective of their Religion or Belief, Disability, Age or Sexual Orientation, Equal Treatment Between Women and Men in Matters of Social Security and in the Access to and Supply of Goods and Services, and Amending Directives 2000/43/EC and 2004/113/EC', 7 May 2024.

⁹⁰ NI Human Rights Commission, 'Submission to the NI Affairs Committee Inquiry into the Experience of Minority Ethnic and Migrant People in NI' (NIHRC, 2021).

⁹¹ Jack Crangle, 'Left to Fend for Themselves: Immigration, Race Relations, and the State in Twentieth Century NI' (2018) 36(1) Immigrants and Minorities Journal 20-44.

- 6.7 **The NIHRC recommends that the Executive Office introduces a dedicated intervention under Outcome 3 to improve access to interpretation and translation services for racial and minority ethnic communities, supported by clear funding commitments.**
- 6.8 The NIHRC welcomes the inclusion of, “difficulties in accessing public services” as one of the key issues identified to be addressed under Outcome 3. However, the Draft Framework does not include a corresponding intervention that identifies the key public services that minority ethnic communities do not access on an equal basis, nor does it set out the concrete actions, target groups, and responsible bodies required to improve access in practice.
- 6.9 **The NIHRC recommends that the Executive Office strengthens Outcome 3 by introducing corresponding interventions to address key issues identified by UN treaty body mechanisms, particularly in relation to education, employment, and access to health care services. These interventions should clearly specify the actions to be taken, the groups targeted, and the bodies responsible for delivery.**

Education

- 6.10 The UN ICESCR Committee has noted that education, “shall ‘enable all persons to participate effectively in a free society’, and it shall promote understanding among all ‘ethnic’ groups, as well as nations and racial and religious groups”.⁹² The UN ICESCR Committee has confirmed that right to education requires “accessibility”.⁹³ This means that “educational institutions and programmes have to be accessible to everyone, without discrimination”. Accessible to everyone includes “the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds”.⁹⁴
- 6.11 In addition, the UN ICESCR Committee has noted persistent obstacles faced by Gypsy, Roma and Traveller children, children with disabilities,

⁹² E/C.12/1999/10, ‘UN ICESCR Committee General Comment No 13: Right to Education’, 8 December 1999, at para 4.

⁹³ E/C.12/1999/10, ‘UN ICESCR Committee General Comment No 13: Right to Education’, 8 December 1999, at para 6(b).

⁹⁴ E/C.12/1999/10, ‘UN ICESCR Committee General Comment No 13: Right to Education’, 8 December 1999, at para 6(b).

migrant children and children from disadvantaged backgrounds in access to education without discrimination.⁹⁵

- 6.12 In addition, the minimum standards guaranteed by the EU Racial Equality Directive under Windsor Framework Article 2 also apply to education. Reference in the Draft Framework to this existing obligation towards education provision is important to provide a baseline against which to assess.
- 6.13 **The NIHRC recommends that the Executive Office clarify how equality of access will be achieved across public services, with a particular focus on education, including campaigns at schools and identify the key actors to be involved and groups to be engaged including teachers.**
- 6.14 **The NIHRC recommends that the Executive Office amends the Draft Framework to reflect its obligations relating to minimum standards for access to education under Windsor Framework Article 2, including requirements under the EU Racial Equality Directive.**

Employment

- 6.15 Workers have the right to just and favourable conditions of work.⁹⁶ The UN ICESCR Committee has clarified that this:

is a right of everyone, without distinction of any kind. The reference to 'everyone' highlights the fact that the right applies to all workers in all settings, regardless of gender, as well as young and older workers, workers with disabilities, workers in the informal sector, migrant workers, workers from ethnic and other minorities, domestic workers, self-employed workers, agricultural workers, refugee workers and unpaid workers. The reference to

⁹⁵ E/C.12/1999/10, 'UN ICESCR Committee General Comment No 13: Right to Education', 8 December 1999, at para 56 (d).

⁹⁶ E/C.12/GC/23, 'UN ICESCR Committee General Comment No 23: Right To Just and Favourable Conditions of Work', 27 April 2016, at para 5; CoE European Social Charter 1961; Article 5(e)(i), UN Convention on the Elimination of All Forms of Racial Discrimination 1965; Articles 6 and 7, UN Covenant on Economic, Social and Cultural Rights 1966; Article 11, UN Convention on the Elimination of All Forms of Discrimination Against Women 1981; Article 32, UN Convention on the Rights of the Child 1989; Article 27, UN Convention on the Rights of Persons with Disabilities 2006; Article 3(1)(b)(c), Directive 2000/43/EC, 'EU Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin', 29 June 2000, the EU Directive applies to all persons, in both private and public sectors, in relation to employment and working conditions, including dismissal and pay and access to all types of vocational guidance, training and retraining, including practical work experience.

'everyone' reinforces the general prohibition on discrimination... the equality provision... and is supplemented by the various references to equality and freedom from distinctions of any kind.⁹⁷

6.16 People from minority ethnic backgrounds are underrepresented in employment in the public sector and in policing in NI. In 2023, 0.5 per cent of NI Civil Service staff were recorded as being from minority ethnic groups.⁹⁸ As of March 2024, 0.6 per cent of police officers in NI were from minority ethnic groups.⁹⁹ Recognition of qualifications is also a significant barrier to gaining employment.

6.17 In 2025, the UN ICESCR Committee noted its concern "about the relative high unemployment and underemployment rates among disadvantaged groups and in certain regions and the structural barriers that those groups face in access to the labour market and employment services".¹⁰⁰ The UN ICESCR Committee recommended that:

Northern Ireland, strengthen efforts to address unemployment and underemployment among women, persons with disabilities, young people, ethnic minorities and migrants by implementing targeted public sector employment schemes, enhancing vocational training and employment services.¹⁰¹

6.18 In addition, the UN ICESCR Committee has recommended that NI,

Ensure that migrant workers enjoy equal rights to other workers, in law and practice, in terms of wages, job security, rest and leisure, social security and trade union membership, and eliminate exploitative practices affecting migrant workers, particularly workers under such work visa arrangements as the Health and Care Worker, Overseas Domestic Worker and Seasonal Worker visa schemes, by banning recruitment fees, lifting restrictions on changing employers, extending wage protections protecting

⁹⁷ E/C.12/GC/23, 'UN ICESCR Committee General Comment No 23: Right to Just and Favourable Conditions of Work', 27 April 2016, at para 5.

⁹⁸ NI Statistics and Research Agency, 'Equality Statistics for the NI Civil Service 2023: An overview of diversity and equality in the NI Civil Service at 1 January 2023 and how it has changed over time' (NISRA, 2023).

⁹⁹ Police Service NI, 'Workforce Composition Statistics'. Available at: Workforce Composition Statistics | PSNI.

¹⁰⁰ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland', 12 March 2025, at para 32.

¹⁰¹ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland', 12 March 2025, at para 33.

workers who report abuse and guaranteeing access to inspection and reporting mechanisms, including interpretation services and legal aid.¹⁰²

6.19 The UN ICESCR Committee has restated the obligation to “monitor effectively the implementation measures to comply with” the right to non-discrimination and equality.¹⁰³ It has further stated that “monitoring should assess both the steps taken and the results achieved in the elimination of discrimination. National strategies, policies and plans should use appropriate indicators and benchmarks, disaggregated on the basis of the prohibited grounds of discrimination”.¹⁰⁴ The UN CEDAW Committee and UN CRC Committee have made similar clarifications.¹⁰⁵

6.20 Windsor Framework Articles 2 and 13 require the law in NI to keep pace with any improvements to minimum standards of equality protection enshrined in six EU directives listed in Annex 1 to the Windsor Framework. This includes discrimination on the grounds of race and ethnicity,¹⁰⁶ and on the grounds of religion and belief¹⁰⁷ in the area of employment. The dynamic alignment obligation also requires compliance with relevant current and future CJEU case law,¹⁰⁸ examples of which the Commission has previously highlighted.¹⁰⁹ It would be beneficial if the Draft Framework reflected both the EU Directives’ underpinning minimum standards in this area as well as the keep pace obligation.

¹⁰² E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland’, 12 March 2025, at para 35 (c).

¹⁰³ E/C.12/GC/20, ‘UN ICESCR Committee General Comment No 20: Non-discrimination in Economic, Social and Cultural Rights’, 2 July 2009, at para 41.

¹⁰⁴ Ibid.

¹⁰⁵ ‘UN CEDAW Committee General Recommendation No 6: Effective National Machinery and Publicity’, 1988, at para 1(b); CRC/GC/2003/5, ‘UN CRC Committee General Comment No 5: General Measures of Implementation of the UN CRC’, 27 November 2003, at para 45.

¹⁰⁶ Directive 2000/43/EC, ‘EU Council Directive on Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin’, 29 June 2000

¹⁰⁷ Directive 2000/78/EC, ‘EU Council Directive on Establishing a General Framework for Equal Treatment in Employment and Occupation’, 27 November 2000.

¹⁰⁸ Article 13(3) and (2), Windsor Framework.

¹⁰⁹ *IX v WABE eV and MH Müller Handels GmbH v MJ*, Joined Cases C-804/18 and C-341/19, 15 July 2021. The CJEU found that differentiating between religious symbols, amounts to direct discrimination under Article 2(2) of the EU Framework Equality Directive and cannot be justified, except by reference to a narrow list of occupational requirements, rather than by a commercial policy of neutrality. The CJEU also ruled that the EU Framework Equality Directive must be interpreted as meaning that a rule prohibiting workers from wearing any visible sign of political, philosophical or religious beliefs in the workplace, does not constitute direct discrimination on the grounds of religion or belief under the Directive, provided that this rule is applied in a general and undifferentiated way. For further analysis see: Sarah Craig, Anurag Deb, Eleni Frantziou, Alexander Horne, Colin Murray, Clare Rice, and Jane Rooney, ‘European Union Developments in Equality and Human Rights: The Impact of Brexit on the Divergence of Rights and Best practice on the island of Ireland’ (NIHRC, ECNI and IHREC, 2022), at 63-68.

- 6.21 **The NIHRC recommends that the Executive Office strengthens Outcome 3 by including a corresponding intervention to improve access to employment, including targeted public-sector employment initiatives, and measures to expand access to vocational training and employment services for minority ethnic communities.**
- 6.22 **The NIHRC recommends that the Draft Framework include a commitment by the Executive Office to track CJEU case law in the area of employment discrimination on the grounds of race and ethnicity, and religion and belief, to ensure any enhancements are reflected in NI equality law.**

Access to Health Care Services

- 6.23 Several human rights treaties make it clear that services, including healthcare, social security and social protection, should be available and accessible to everyone without discrimination.¹¹⁰ However, registering for and accessing General Practitioner services and National Health Service dental services remains challenging for migrants, with long waiting times for appointments.¹¹¹ Concerns have been raised by individuals seeking asylum who are in temporary and contingency hotel accommodation about poor access to healthcare information, inadequate provision for medical needs and significant delays in health assessments.¹¹² There have been instances shared of migrants being questioned about their immigration status at the point of contact with health services, rather than being treated primarily as a patient.¹¹³ The NIHRC reiterates that migrants, like any other patient, should be treated by healthcare professionals. Healthcare professionals are not and should not be used as immigration enforcement officers. Some migrants with disabilities have reported barriers to accessing mental health services, which is contributing to

¹¹⁰ Articles 11 and 12, CoE European Social Charter 1961; Articles 1 and 5(e)(iv), UN Convention on the Elimination of All Forms of Racial Discrimination 1965; Articles 2(2), 9, 10 and 12, UN International Covenant on Economic, Social and Cultural Rights 1966; Articles 12 and 14(c), UN Convention on the Elimination of All Forms of Discrimination Against Women 1981; Articles 2, 24, 25, 26, UN Convention on the Rights of the Child 1989; Articles 25 and 28, UN Convention on the Rights of Persons with Disabilities 2006; E/C.12/GC/20, 'UN ICESCR Committee General Comment No 20: Non Discrimination in Economic, Social and Cultural Rights', 2 July 2009; E/C.12/GC/19, 'UN ICESCR Committee General Comment No 19: Right to Social Security', 4 February 2008; E/C.12/2000/4, 'UN ICESCR Committee General Comment No 14: Right to the Highest Attainable Standard of Health', 11 August 2000;

¹¹¹ Meeting between NI Human Rights Commission and NI Council for Racial Equality, 9 August 2022.

¹¹² Children's Law Centre and South Tyrone Empowerment Programme, 'Joint Submission to Framework Convention on the Protection of National Minorities Advisory Committee: Rights of Asylum Seeker Children Living in Contingency Accommodation (Hotel Buildings) in NI, Run by Mears Group PLC' (CLC and STEP, 2022).

¹¹³ Roundtable on Access to Healthcare and Protocol Article 2 hosted by the NI Human Rights Commission, 6 June 2022.

declining mental health.¹¹⁴

- 6.24 In 2016, the UN CERD Committee expressed concern at reports that persons of African descent face institutional racism in their enjoyment of rights, including the specific areas of concern mentioned in the present concluding observations, such as health, employment, education, stop and search practices and the criminal justice system.¹¹⁵
- 6.25 Specific to the UK, the UN ICESCR Committee recommended that steps are taken “to ensure that temporary migrants and undocumented migrants, asylum seekers, refused asylum seekers... have access to all necessary health-care services”.¹¹⁶ The UN CRC Committee also recommended that the UK Government and NI Executive ensure that migrant, refugee and asylum-seeking children are provided with “sufficient support... to access basic services”.¹¹⁷
- 6.26 The UN CERD Committee reaffirmed that the UK Government and NI Executive “should take effective measures to ensure the accessibility and availability of quality health-care services to persons belonging to ethnic minorities, through its jurisdiction”.¹¹⁸ In addition, the UN CEDAW Committee highlighted the “obstacles faced by women from marginalised groups... to access healthcare services, including as a result of their inability to provide identity documentation, proof of address or immigration status”.¹¹⁹ It recommended that the UK Government and NI Executive “strengthen the implementation of programmes and policies aimed at providing effective access to healthcare by women from marginalised groups, particularly asylum-seeking and refugee women, migrant women, Gypsy and Traveller women, and victims of trafficking”.¹²⁰
- 6.27 While the Draft Framework highlights issues such as language and cultural

¹¹⁴ Independent Mechanism in NI Disability Forum Meeting, 2 August 2022.

¹¹⁵ CERD/C/GBR/CO/21-23, “Committee on the Elimination of Racial Discrimination Concluding observations on the combined twenty-first to twenty third periodic reports of the United Kingdom of Great Britain and Northern Ireland”, 3 October 2026, at para 22

¹¹⁶ E/C.12/GBR/CO/6, ‘UN ICESCR Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI’, 14 July 2016.

¹¹⁷ CRC/C/GBR/CO/5, ‘UN CRC Committee Concluding Observations on the Fifth Periodic Report of the UK of Great Britain and NI’, 12 July 2016.

¹¹⁸ CERD/C/GBR/CO/21-23, ‘UN CERD Committee Concluding Observations on the Twenty-first to Twenty-third Periodic Reports of UK’, 26 August 2016.

¹¹⁹ CEDAW/C/GBR/CO/8, ‘UN CEDAW Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI’, 14 March 2019.

¹²⁰ CEDAW/C/GBR/CO/8, ‘UN CEDAW Committee Concluding Observations on the Eighth Periodic Report of the UK of Great Britain and NI’, 14 March 2019.

awareness as potential barriers to accessing services, a lack of awareness among service providers of patients' rights is also an issue, particularly in times of significant change to immigration policy. The NIHRC commissioned independent research which found that frontline health staff lacked clear information about the applicable law for patients accessing healthcare post Brexit.¹²¹ Specific to the EU Settlement Scheme, in 2024, following engagement with local stakeholders in NI, and reflecting earlier reports of issues,¹²² the Independent Monitoring Authority concluded that the healthcare sector lacked understanding of EU settled status and that people are being wrongly charged for, or refused, the healthcare to which they are entitled.¹²³ While immigration is an excepted matter, it is the responsibility of the Health and Social Care Trusts, and by extension the Department of Health in NI, to ensure that staff are adequately and accurately informed as to patients' right to healthcare. It is a shortcoming of the Draft Framework that it does not acknowledge this and commit to identify and address these information gaps in the provision of public services.

6.28 The UN OHCHR guidance recommends a National Action Plan against Racial Discrimination to include:

measures to fulfil the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with a view to eliminating disparities in health status, as indicated in standard health indexes, which might result from racial discrimination.¹²⁴

6.29 In addition, the guidance also recommends the inclusion of "programmes to promote the access without discrimination of groups facing racial

¹²¹ Tamara Hervey, 'Brexit, Health and its potential impact on Article 2 of the Ireland/NI Protocol' (NIHRC, 2022).

¹²² Frontline health staff have lacked clear information about the law applicable to patients accessing healthcare in NI post-Brexit (Tamara Hervey, 'Brexit, Health and Its Potential Impact on Article 2 of the Ireland/NI Protocol' (NIHRC, 2022); NI Human Rights Commission, 'Briefing Paper and Recommendations on Brexit, Health and Its Potential Impact on Article 2 of the Windsor Framework' (NIHRC, 2023)); Some migrant and minority ethnic women had been given incorrect advice on their eligibility to healthcare in NI (Katharine Wright, Ruth McAreavey and Rebecca Donaldson, 'The Impact of Brexit on Women in NI' (ECNI, 2024)); See also Independent Monitoring Authority, 'Press Release: EU citizens may have been wrongfully charged for National Health Service treatment', 10 May 2023; Independent Monitoring Authority, 'An Inquiry by the Independent Monitoring Authority for the Citizens' Rights Agreements into Certificates of Application' (IMA, 2023), at para 117; Pivotal, 'The Impact of Brexit on Minority Ethnic and Migrant People in NI' (ECNI, 2023); Committee on Administration of Justice, 'Frontline Lessons for the Future Collaborative Research on the Impact of Immigration Law and Policy in Post-Brexit NI' (CAJ, 2022), at 49.

¹²³ Independent Monitoring Authority, 'Independent Monitoring Authority focus on citizens' rights in NI', 15 December 2024.

¹²⁴ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 43.

discrimination to health care, and to promote strong efforts to eliminate disparities".¹²⁵

- 6.30 **The NIHRC recommends that the Executive Office, guided by the recommendations of the UN Treaty Body mechanisms, strengthen Outcome 3 by including clear measures to support the implementation of programmes and initiatives aimed at increasing access to healthcare services for minority ethnic communities, including targeted actions involving healthcare professionals and hospital administration staff.**
- 6.31 **The NIHRC recommends that the Draft Framework be amended to reflect a commitment from the Executive Office and the Department of Health to identify and minimise procedural barriers to healthcare for migrant people, regardless of immigration status.**

Housing

- 6.32 There is a long list of persons who have been waiting an inordinately long time in need of social housing in NI.¹²⁶ Given the particular circumstances of conflict in NI, it is unsurprising perhaps that social housing stock is often located between the two primary communities. Research suggests that those who identify as other or no religion, often minority ethnic residents, live in the smallest homes, experience the most overcrowding and are more likely to live in poor standard housing in NI.¹²⁷ Evidence suggests that Roma communities have specific difficulties in finding appropriate rental properties, with reports of discrimination by rental agencies.¹²⁸ This leads to overcrowding in already small residential properties, as multiple families are forced to share.¹²⁹
- 6.33 In 2025, the UN ICESCR Committee expressed concern about persistent barriers to culturally appropriate housing for Gypsies, Roma and Travellers

¹²⁵ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 42.

¹²⁶ Niamh Campbell, 'Housing Shortages in NI: The causes, effects and potential solutions', Belfast Telegraph, 5 October 2023.

¹²⁷ Lucy Michael et al, 'Inequalities Experienced by Black Asian Minority Ethnic Traveller People: A Report for Belfast City Council, Belfast Health and Social Care Trust and Public Health Agency NI' (BCC, 2022), at 7

¹²⁸ UK Parliament Hansard, 'NI Affairs Committee: The Experiences of Minority Ethnic and Migrant People in Northern Ireland Inquiry – Forward South Partnership – MEM0031', October 2021

¹²⁹ UK Parliament Hansard, 'NI Affairs Committee: The Experiences of Minority Ethnic and Migrant People in Northern Ireland Inquiry – Forward South Partnership – MEM0031', October 2021

and reports of discrimination and intimidation faced by migrants and ethnic minorities, which hinder their access to adequate housing.¹³⁰ It recommended that the NI Executive:

strengthen measures to prevent and combat intimidation by paramilitary groups against ethnic minorities and migrants in Northern Ireland in order to ensure their access to adequate housing and to prevent de facto segregation, to collect data on such acts and to ensure that they are promptly and effectively investigated.¹³¹

- 6.34 **The NIHRC recommends that the Executive Office strengthens Outcome 3 by including activities targeted at actors within the housing sector to support the implementation of programmes and initiatives aimed at increasing access to housing in both the public and private sector.**
- 6.35 **The NIHRC recommends that the Executive Office strengthens Outcome 3 by including clear measures to prevent intimidation and violence by paramilitary groups against ethnic minorities and migrants to ensure equal access to adequate and culturally appropriate housing and to prevent de facto segregation. The NIHRC advises that this should include the collection, analysis and publication of data on such incidents, including the number of cases investigated and prosecuted, the reasons for decisions not to prosecute, and the outcomes of prosecuted cases.**

Roma Thematic Group and Traveller Thematic Group

- 6.36 The seventh intervention under Outcome 3 refers to working with the Roma Thematic Group and Travellers Thematic Group “to implement specific activities in relation to improving access to services through inclusive interventions.” However, the intervention lacks sufficient detail on the specific activities to be undertaken by these groups and does not clearly identify the services to be prioritised.
- 6.37 The UN OHCHR guidance emphasises that national action plans should

¹³⁰ E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland’, 12 March 2025, at para 46.

¹³¹ E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland’, 12 March 2025, at para 47(h).

clearly specify the actions to be taken (providing benchmarks for the evaluation of progress), prioritise those actions, identify the bodies responsible for implementation, establish clear timeframes for delivery and set out the budgetary resources required.¹³²

6.38 The UN ICESCR Committee has recommended that the State Party:

prevent and combat discrimination, racism, stereotypes and inequalities faced by persons with disabilities, ethnic minorities, including Gypsies, Roma and Travellers, persons of African or Asian descent and members of Jewish, Muslim and Hindu communities, and migrants, refugees and asylum-seekers by implementing targeted awareness-raising campaigns and affirmative action measures in such areas as decent work, social security, adequate housing, healthcare and education to ensure that all persons fully enjoy Covenant rights without discrimination."¹³³

6.39 The NIHRC recommends that the Executive Office strengthens the seventh intervention under Outcome 3 by clearly specifying actions to be undertaken by the Roma Thematic Group and Travellers Thematic Group, identifying the priority actions, bodies responsible for implementation, defined delivery timeframes, target groups to be engaged and associated budgetary requirements.

Data

6.40 The eighth and last intervention under Outcome 3 seeks to develop, "interventions for the groups with the poorest outcomes, informed by the results of the Census Microdata Report." The NIHRC welcomes the Executive Office's focus on data. As noted by the OHCHR,

national censuses are vital to collect data on the situation and needs of the population of all countries. Without accurate data it is very difficult for Governments to tailor policies and implement

¹³² UN Office of the High Commissioner for Human Rights (OHCHR), *National Action Plans against Racial Discrimination*, August 2014, at 11.

¹³³ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland', 12 March 2025, at para 25(c).

programmes to address particular needs.¹³⁴

- 6.41 Given the importance of accurate and disaggregated data to combatting racial discrimination the UN CERD Committee has recommended that the government of NI systematically collect and publish disaggregated data on the enjoyment of rights by members of minority ethnic communities in all fields of life, and that it includes such information in its next periodic report.¹³⁵
- 6.42 The UN OHCHR guidance states that a national action plan may include, mechanisms for regularly collecting, compiling, analysing, disseminating and publishing reliable disaggregated statistical data to assess the situation of individuals and groups that are victims of racial discrimination.¹³⁶
- 6.43 As outlined above, the NIHRC considers that the EU Directive on Standards for Equality Bodies amends the EU Racial Equality Directive and, therefore, requires changes to equality legislation in NI under Windsor Framework Articles 2 and 13.¹³⁷ The Standards for Equality Bodies Directive requires that equality bodies collect disaggregated data including in relation to race. It further requires that equality bodies have access to related statistical information as they deem necessary. The Directive also requires that equality bodies must be able to make recommendations on which data is to be collected in relation to the rights and obligations derived from EU equality laws, including the Racial Equality Directive.¹³⁸ Regarding the collection of data, the Standards for Equality Bodies Directive calls for

¹³⁴ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 60.

¹³⁵ CERD/C/GBR/CO/21-23, 'Concluding observations on the combined twenty-first to twenty-third periodic reports of the United Kingdom of Great Britain and Northern Ireland', at para 14.

¹³⁶ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 59.

¹³⁷ Directive 2024/1499/EU, 'EU Council Directive on Standards for Equality Bodies in the Field of Equal Treatment Between Persons Irrespective of their Racial or Ethnic Origin, Equal Treatment in Matters of Employment and Occupation Between Persons Irrespective of their Religion or Belief, Disability, Age or Sexual Orientation, Equal Treatment Between Women and Men in Matters of Social Security and in the Access to and Supply of Goods and Services, and Amending Directives 2000/43/EC and 2004/113/EC', 7 May 2024.

¹³⁸ Article 16, Directive 2024/1499/EU, 'EU Council Directive on Standards for Equality Bodies in the Field of Equal Treatment Between Persons Irrespective of their Racial or Ethnic Origin, Equal Treatment in Matters of Employment and Occupation Between Persons Irrespective of their Religion or Belief, Disability, Age or Sexual Orientation, Equal Treatment Between Women and Men in Matters of Social Security and in the Access to and Supply of Goods and Services, and Amending Directives 2000/43/EC and 2004/113/EC', 7 May 2024.

particular attention to be paid to intersectional discrimination.¹³⁹ It also highlights the importance of data for raising awareness, sensitising people, quantifying discrimination, showing trends over time, proving the existence of discrimination, evaluating the implementation of equality legislation, demonstrating the need for positive action and contributing to evidence-based policymaking.¹⁴⁰

- 6.44 **The NIHRC recommends that the Executive Office ensures that the data available is assessed with a view to revealing the existence and extent of racial discrimination, identifying discriminatory practices and patterns, and key priority areas for targeted action.**
- 6.45 **The NIHRC recommends that the Executive Office amends the Draft Framework to reflect the requirements relating to data collection set out in the EU Standards for Equality Bodies Directive.**

7.0 Outcome 4: Community Cohesion

To strengthen social relations and promote integration between all communities. To increase the participation, representation and sense of belonging of people from minority ethnic communities.

- 7.1 Overall, the key interventions under Outcome 4 reflect the broader high-level tone of the Draft Framework and are expressed in very broad terms. As a result, they do not clearly set out the specific and actual activities to be undertaken to achieve community cohesion.
- 7.2 The Draft Framework should make it manifest that community cohesion is an outcome of equality, inclusion, and protection of human rights, not a substitute for them. It should also include more detail on, measurable actions, performance indicators and participation from specific groups to show how this will be strengthened while also addressing racism and

¹³⁹ Recital 16, Directive 2024/1499/EU, 'EU Council Directive on Standards for Equality Bodies in the Field of Equal Treatment Between Persons Irrespective of their Racial or Ethnic Origin, Equal Treatment in Matters of Employment and Occupation Between Persons Irrespective of their Religion or Belief, Disability, Age or Sexual Orientation, Equal Treatment Between Women and Men in Matters of Social Security and in the Access to and Supply of Goods and Services, and Amending Directives 2000/43/EC and 2004/113/EC', 7 May 2024.

¹⁴⁰ Recital 43, Directive 2024/1499/EU, 'EU Council Directive on Standards for Equality Bodies in the Field of Equal Treatment Between Persons Irrespective of their Racial or Ethnic Origin, Equal Treatment in Matters of Employment and Occupation Between Persons Irrespective of their Religion or Belief, Disability, Age or Sexual Orientation, Equal Treatment Between Women and Men in Matters of Social Security and in the Access to and Supply of Goods and Services, and Amending Directives 2000/43/EC and 2004/113/EC', 7 May 2024.

structural discrimination. Article 6(1) of the CoE Framework Convention for National Minorities specifically mentions the concept of “intercultural heritage” which better expresses the objective of Outcome 4.¹⁴¹ According to Article 6(1) States have an obligation to “encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity”.¹⁴²

7.3 The fourth intervention under Outcome 4, which proposes to, “design and deliver a coordinated programme to strengthen social inclusion across communities”, does not clearly state which specific programmes will be undertaken, the groups that will be targeted, the public bodies and departments responsible for delivery nor the associated performance indicators and time frames.

7.4 The seventh intervention under Outcome 4, which proposes to, “complete an initial round of community-led reviews to develop plans on key topics” requires further elaboration. It does not specify the number of reviews to be undertaken, nor does it provide an indicative list of the key topics to be addressed. In the absence of such clarity, there is a risk that community cohesion becomes the dominant framing, at the expense of directly addressing racism and structural discrimination.

7.5 The UN OHCHR guidance states that:

the national action plan against racial discrimination should guarantee full, effective and equal participation. It should empower individuals and groups that have faced or face racial discrimination to identify their human rights needs and to ensure that they are met.¹⁴³

7.6 **The NIHRC recommends that the Executive Office considers replacing the term “community cohesion” with “intercultural dialogue” a term grounded in the Council of Europe Framework Convention for National Minorities.**

¹⁴¹ Article 6(1).

¹⁴² Article 6(1).

¹⁴³ UN Office of the High Commissioner for Human Rights (OHCHR), *National Action Plans against Racial Discrimination*, August 2014, at 26.

- 7.7 **The NIHRC recommends that the Executive Office utilises meaningful engagement with individuals who will be affected and their representatives beyond this public consultation to determine the key priority areas for implementation regarding trainings and workshops.**
- 7.8 **The NIHRC recommends that the Executive Office clarifies the key interventions under Outcome 4, including specifying the key human rights topics, issues, and related trainings and workshops on race relations and ensuring that they are supported by clear responsibilities, timeframes, and monitoring arrangements.**

8.0 Delivery Plan

- 8.1 The two-year Delivery Plan sets out the initial primary, secondary and tertiary interventions that will be prioritised. However, it does not include individual delivery timeframes for each specific intervention, performance indicators nor identify delivery responsibilities. There is a need for ownership regarding the implementation of the plan.
- 8.2 The UN OHCHR guidance recommends that discussions about which bodies are responsible for what, should be part of the plan's development. It is important for the plan to spell out the various institutional responsibilities so that it is clear to the State bodies themselves as well as to stakeholders and the general public.¹⁴⁴
- 8.3 Other departments and public bodies have a key role in the delivery of the Framework. They include, but are not limited to, the Department of Education, Department of Justice, Department for Communities Department of Health, the Police Service of Northern Ireland, District Councils, and other statutory organisations.
- 8.4 **The NIHRC recommends that the Executive Office strengthens the Delivery Plan by setting out institutional responsibilities for each outcome and intervention, so that roles and expectations are**

¹⁴⁴ UN Office of the High Commissioner for Human Rights (OHCHR), *National Action Plans against Racial Discrimination*, August 2014, at 84.

transparent to all government departments, stakeholders, and the wider public.

Monitoring and Evaluation

- 8.5 The accompanying monitoring and evaluation framework does not identify mechanisms for measuring progress of each outcome and addressing underperformance which undermines the Delivery Plan's capacity to support effective implementation and accountability.
- 8.6 A national action-plan should be action-oriented to facilitate its implementation. It should provide for effective monitoring and evaluation of what has been accomplished and what has not.¹⁴⁵ It should develop mechanisms to hold the institutions in charge of its implementation accountable to those groups and individuals whose rights it is intended to promote and protect.¹⁴⁶ This will ensure that if the objectives have not been achieved, it may be necessary to allocate more resources, change working methods, revise the time frame or perhaps even amend the objectives.
- 8.7 **The NIHRC recommends that the Executive Office strengthens the Delivery Plan by identifying clear mechanisms for measuring progress against each outcome, including performance indicators, reporting arrangements, and procedures for identifying and addressing underperformance.**

Accountability

- 8.8 The Draft Framework does not set out clear accountability measures. The UN OHCHR guidance recommends that:

to be effective, the National Action Plan against Racial Discrimination requires the development of a system of accountability based on specific, ascertainable goals. It should develop mechanisms to hold the institutions in charge of its

¹⁴⁵ UN Office of the High Commissioner for Human Rights (OHCHR), *National Action Plans against Racial Discrimination*, August 2014, at 11.

¹⁴⁶ UN Office of the High Commissioner for Human Rights (OHCHR), *National Action Plans against Racial Discrimination*, August 2014, at 27.

implementation accountable to those groups and individuals whose rights it is intended to promote and protect.¹⁴⁷

- 8.9 The NIHRC recommends that the Executive Office strengthens the Delivery Plan in line with the United Nations Office of the High Commissioner for Human Rights guidance and establish robust accountability mechanisms to ensure that the institutions responsible for implementation are held accountable.

Key Governance Mechanisms

- 8.10 In terms of the key governance mechanisms, the Draft Framework refers to the Strategic Planning Group (SPG) which will hold “regular meetings to review progress, align departmental strategies, and support shared learning.” However, the Framework does not specify the frequency of these meetings or set out clear time frames, which limits transparency and effective oversight of implementation.
- 8.11 **The NIHRC recommends that the Executive Office strengthens the governance arrangements by explicitly stating their frequency and providing for scheduling of Strategic Planning Group (SPG) meetings, including setting fixed time frames.**
- 8.12 The SPG Performance Reports are to be, “updated regularly to reflect progress and challenges, informing planning and thematic discussions”. However, it does not specify the frequency or timeframe of these updates.
- 8.13 The National Action Plan against Racial Discrimination should incorporate mechanisms for the periodic monitoring of its progress.¹⁴⁸ The monitoring mechanism should meet at reasonable intervals during the life of the national action plan.¹⁴⁹
- 8.14 **The NIHRC recommends that the Executive Office clarifies the frequency and timing of updates to the SPG Performance Report,**

¹⁴⁷ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 27.

¹⁴⁸ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 85.

¹⁴⁹ UN Office of the High Commissioner for Human Rights (OHCHR), National Action Plans against Racial Discrimination, August 2014, at 86.

including the introduction of regular reporting cycles. These reports should set out progress against agreed outcomes and performance indicators, identify challenges and underperformance, and inform corrective action.

Contact us

Queries to: Colin.Caughey@nihrc.org and
Eilis.Haughey@nihrc.org

www.nihrc.org | info@nihrc.org | +44 (0)28 9024 3987
4th Floor, Alfred House, 19-21 Alfred Street, Belfast, BT2 8ED

