

**Report of the UPR Public Consultation Meeting on Friday 20<sup>th</sup> May 2011**  
**Parade Tower, Kilkenny Castle**

28 people attended the meeting.

- Presentation by Katherine Zappone, Irish Human Rights Commission
- Presentation by Rosalind McKenna, Amnesty International Ireland
- Contributions from the floor. Issues raised were as follows (in no particular order):
  - **Criminal justice system**
    - One speaker praised the current legal aid system, which gives vulnerable people access to the best advocate available. Recommendation that support and education should be prioritised to combat disadvantage, as many clients had been early school leavers with learning disabilities, who became involved in criminality and addiction because there was not much support available to them at a young age.
    - Prisoners' rights: Ireland's prisons are below international standards
  - **Employment law** – raised by two speakers
    - Ireland should recognise and protect the right to collective bargaining. Companies should be obliged to engage with trade unions.
    - Multinationals who engage with trade unions in other countries refuse to do so here because the law does not oblige them to. US companies do not respect Irish workers' right to freedom of association.
    - Union protection is particularly important in these recessionary times, where exploitation is increasing.
  - **Family issues**
    - There is a right to family unity, grounded in marriage between a man and a woman.
    - Children have the right to know their parents; anonymous sperm donation should be banned.
  - **Women's issues** – two speakers
    - Government should be reminded of their commitments under CEDAW. The State needs to make more of an effort to eliminate violence against women.
    - There should be measures to ensure more involvement by women in public life. Political parties should put forward more women at all levels.
    - The State should provide access to affordable childcare, as childcare is a major barrier to women's involvement in the workplace.
  - **Travellers' rights**
    - The ethnicity of Travellers should be recognised.
    - Provision for Traveller housing in the Accommodation Act 1998 is good, but implementation is poor. It should not be left to local authorities to decide on housing provision, and there is no sanction for local authorities that do not provide adequate accommodation.
    - The lack of Traveller representation in political life is indefensible.
    - The Government keeps postponing progress on Traveller policy. The Criminal Trespass Act was a huge backwards step.
  - **Older people**

- Needs of people should be the primary consideration, but people are treated on the basis of cost, not need.
- **Reproductive rights / abortion / right to life** (Several speakers)
  - Human dignity should be protected at all times; Ireland is the safest place in the world in which to give birth, making it a good place for the unborn child. The Constitutional protection for the unborn child must be upheld.
  - Many euphemisms for abortion are used by international bodies. The mandate of the Irish people is important and abortion should not be imposed on the country by international organisations.
  - If we do not protect the fundamental right to life of the unborn, all other rights are meaningless. Abortion is murder.
- **“Your Rights Right Now” submission**  
 Several speakers expressed concerns about the Your Rights Right Now document by a civil society coalition coordinated by the Irish Council for Civil Liberties, which was submitted to the UN Stakeholder Report and the National Report. Two main points were raised:
  - Protest about the inclusion of Section 12, “Women’s Reproductive Rights”, which recommends repealing the Offences Against the Persons Act 1861 (criminal sanctions for those who have abortions and those assist them), and enacting legislation to clarify the circumstances under which abortion may be lawful, as recommended by the European Court of Human Rights.
  - The endorsement process used by the Your Rights Right Now campaign. Many speakers said some groups listed as endorsing the document who sought to withdraw endorsement had been told that this was not possible. Speakers alleged that some groups listed as endorsers have not been in existence for some time.
- **Suicide** (Several speakers)  
 The Government has a duty to try to prevent suicide as a Right to Life issue.
- **Migrant / asylum issues**  
 Several speakers:
  - System of direct provision is inhumane and should be abolished.
  - People spend far too long in the system; there should be a limit to the time spent in direct provision accommodation. Most EU countries have a time limit and asylum seekers are given the right to work if their applications are delayed for more than 6 months.
  - The excuse of insufficient resources is used to avoid family reunification.
  - A speaker who works with asylum seekers in a voluntary capacity outlined two specific cases; in one, an applicant who was shot 3 times in Lebanon was denied asylum on the basis of having messed up his asylum claim in Sweden; the other was the case of an unaccompanied Lebanese minor who was put in a mental institution by the HSE.
- **Rights of people with disabilities**
  - Ireland is dragging its feet on acting on the Convention on the Rights of Persons with Disabilities; action has been held up by the Mental Capacity Bill.
  - The poverty trap affects people with disabilities more as they do not have access to appropriate services.
  - One contributor said the Government should consider models of community-based sites for children with disabilities such as the PARC-Essex facility in Braintree, Essex. In Ireland, families of children with disabilities become housebound; while there are

some good initiatives in some areas, there is no cohesive structure in this area. The policy shift away from having children with disabilities in institutions is good, but the lack of services or intermediary infrastructure means that these children and their families are in effect institutionalised at home.

- **Children's rights**

- The lack of facilities for children in the care of the State should be addressed urgently. Too many children have vanished while in care.
- The State is dragging its feet on the Convention on the Rights of the Child.
- Progress on children's rights is overdue. Social workers should be available 7 days a week and in the evenings, not just 9-5. In the absence of social workers and appropriate facilities, children in crisis situations have been brought to Garda stations.

- **UPR process**

- One speaker was cynical about the UPR process; felt that Ireland was just going through the motions and that if the Government only made some voluntary commitments and ignored recommendations, the exercise would be a waste of time.

- **Social and economic rights / general issues with legislation**

- Despite Ireland's ratification of ICESCR (International Covenant on Economic, Social and Cultural Rights) in 1989, the Constitution still does not adequately protect social and economic rights. Housing and health are still big problem areas for the vulnerable in Irish society.
- One speaker said that most human rights violations in Ireland are based on the class structure of Irish society; rights will be violated even more now that we are tied into the IMF and ECB. We have too many empty houses but homeless numbers are rising and many people live in substandard conditions. Money spent on the Queen's visit should have been put into hospitals and schools.
- Expenditure in education and health should be prioritised over loans and bailouts.
- We should revise our bankruptcy laws so that people have a chance make a fresh start.
- Equal Status legislation should be extended to recognise further grounds of discrimination, including social class and trade union membership. Also, it is too costly for most people to take discrimination cases; Government should address this.
- The State is bankrupt; the Government should promote competition within the professions to bring down prices.
- The recession is used as an excuse for cuts in funding to the community and voluntary sector. Forced amalgamation of groups / Partnerships has led to poor service to vulnerable members of the community.
- One speaker expressed the view that the Constitution should not be amended; we have had too many referenda already – divorce, Nice, Maastricht, Lisbon – and should leave the Constitution as it is.