

Report of the UPR Public Consultation Meeting on Friday 27th May 2011
Boole 1, University College Cork

42 people attended the meeting (35 signed the attendance sheets).

- Presentation by Robert Daly, Irish Human Rights Commission
- Presentation by Stephen O'Hare, ICCL / Your Rights campaign
- Presentation by Ann-Maree Quinn, Pro Life Campaign
- Contributions from the floor. Issues raised were as follows (in no particular order):
 - **Mental Capacity / Wards of Court issues** –
 - Proposed Mental Capacity Bill needs urgent attention; archaic definitions in the Lunacy Regulation Ireland Act are insulting.
 - Tough on carers looking after Wards who have suffered brain injury, mental illness or intellectual disability; very little practical support from State. The family (when acting as Committee to the Ward) should be supported and protected from civil and/or criminal liability.
 - Ireland needs to ratify the Convention on Persons with Disabilities and enshrine it in our domestic legislation, as the State does not currently provide adequate protection for vulnerable people.
 - The Government should act on the Law Reform Commission recommendations, which would save the State money.
 - Current system is deficient; needs a complaints mechanism.
 - **Employment law**
 - Section 37 of the Equality and Employment Act should be repealed, as it allows discrimination in the workplace.
 - **Family issues** – several speakers, various opinions
 - Children have the right to know who their parents are; IVF companies deny children their identities.
 - Ireland should protect the rights of the family, based on marriage between a man and a woman; the child is supported by the mother, the mother and wife is supported by the husband and the husband is supported by the State. That is the natural order.
 - There should be equal access to marriage for everyone in Ireland; lesbian and gay people currently do not have access to marriage. The Civil Partnership Bill separates them from the rest of society.
 - Civil Partnership legislation ignores the rights of children in same-sex families. Many same-sex couples already have children (4 in 10 lesbian couples and 1 in 10 gay male couples); those children's rights are not being protected.
 - Same-sex couples and adoption: currently, gay partners can only apply to adopt as individuals, not as a couple. This gives the other partner no rights of guardianship over the child.
 - Marriage between same-sex partners in other countries are downgraded to civil partnerships here, despite recent Irish Times Red C poll which showed that 67% of people were in favour of introducing same-sex marriage.
 - **Transgender issues** – several speakers

- Ireland is lagging behind other countries in this area. It has been nearly a year since the Government dropped the case against Lydia Foy. The ruling is there and the Government is in breach of the European Convention on Human Rights.
 - GRAG Report should be published.
 - Designation of gender should be a self-selective process, not a matter for doctors to decide.
 - Transgender people still cannot change their birth certificates
 - Lack of appropriate health services in Ireland; healthcare professionals do not study sexual identity and specific services are required for transgender people. People have to go abroad for services, at huge cost. Lack of support causes mental health problems.
 - Current gender recognition practice is a violation of privacy rights.
 - In the case of a married person, the State should not insist on divorce before recognising a change of gender.
 - One transgender speaker who identifies as male but still has a female name would like to get married as a man, but cannot; could, however, legally marry another man. If he adopted a child, he would be classed as a mother, not a father.
 - Ireland should recognise and protect intersex people; currently, parents must select either Male or Female option for birth certificate within 3 months of the birth of a child. Need to amend our rules about civil registration and amendment of birth certificates.
- **Women's issues**
 - Government should be reminded of their commitments under CEDAW. Very little progress has been made. 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. Only 15% of the new Dáil is female. Funding to political parties should be tied to representation by women.
 - The social welfare system is unfair to women; over 145,000 women are considered 'qualified adults', dependent on their husbands for income. We need a system that recognises care as work, especially for pensions.
- **Stalking – protection and awareness**
 - Ireland needs legislation to protect people from stalking and harassment such as the Protection Act in the UK. Ireland only has the Public Order Act 1994, which does not offer sufficient protection.
 - It costs a victim €3,000 - €4,000 to put a Prevention Order on a stalker
 - Speaker has been stalked since 1989, has received negligible help from the State and has been denied access to legal aid. Only support received was from a group in the UK.
 - State needs to raise social awareness of stalking and establish regional support groups for victims
- **Criminal justice system**
 - One speaker spoke of the delay in criminal prosecutions or up to 16 years in his experience. The European Court of Human Rights has held that this is unacceptable.
 - The cost to an individual for going to the Supreme Court is prohibitive; generally around €90,000.
- **Reproductive rights / abortion / right to life** (Several speakers – various viewpoints)

- We need legislation to give effect to recent rulings on sexual and reproductive rights. We need to strengthen the family planning services around the country.
 - The Constitutional protection for the unborn child must be upheld.
 - One speaker stated that nobody has the right to take another life. Calls for abortion to be introduced under other names are lies; still counts as murder. Disputed the facts of the X case in that if the girl involved “had really been suicidal”, she would have been under the care of psychiatrist.
 - Responsibility should be exercised and sex should not be presented as recreation.
 - If we do not protect the fundamental right to life of the unborn, all other rights are meaningless. Abortion is murder.
 - Groups funded by international groups with a pro-abortion agenda should not be allowed to force abortion on Ireland.
 - One speaker spoke of the pro-abortion lobby being funded by US Wiccans, who want the babies for use as sacrifices in satanic ceremonies.
 - (Repeated in Section below, **Ireland’s Relationship to the UN**) The UN promotes mass-slaughter of babies and fills women with poisons and IUDs. The previous Government colluded with the UN to lower Ireland’s population by forcing young girls to learn about reproductive rights; this is genocide.
 - UN must take responsibility for deaths of the unborn around the world. It is not for the UN to decide when life begins. Ireland does not accept the UN definitions of human rights, nor should it accept ‘international standards’.
- **‘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.
 - **Civil society**
Many NGOs are reliant on philanthropy; if the State does not fund such groups, there will be no civil society input in the next UPR cycle.
 - **Migrant / asylum issues**
Several speakers:
 - Immigration system allows discrimination against family rights of Irish citizens. If an EU citizen is married to a non-EU citizen, the spouse is accepted in Ireland as an EU member. However, if an Irish citizen is married to a non-EU citizen, the spouse is not accepted as an EU member. Zambrano case states “citizens”, not “children”.
 - **UPR process**
 - One speaker questioned the UPR process; who sifts through the submissions and decides which rights should be included?

- One speaker wanted it noted that she and others of similar opinions came in large numbers on the basis that it would be noted and taken into account when the National Report is being written. Points made should be reflective of number of supporters.
- **Issues relating to dealing with State bodies / legal system**
 - One speaker raised the issue of Government departments settling out of court as a cynical practice to avoid a precedent; this practice is not transparent and only benefits the legal profession. Means that Departments do not admit liability when wrong.
- **Ireland's relationship with the United Nations** – several speakers
 - One speaker said that all rights come directly from God, not from the UN; the Constitution provides all the protection we need, but it is continually under attack by the Government. Civil servants involved in the public consultations should be tried for High Treason. The UN does not have to right to discuss or review Irish human rights.
 - The UN promotes mass-slaughter of babies and fills women with poisons and IUDs.
 - UN personnel are behind paedophile rings.
 - The previous Government colluded with the UN to lower Ireland's population by forcing young girls to learn about reproductive rights; this is genocide. The UN has destroyed Ireland's moral order. He (the speaker) did not sign up to join the UN; done against his will.
 - UN must take responsibility for deaths of the unborn around the world. It is not for the UN to decide when life begins. Ireland does not accept the UN definitions of human rights, nor should it accept 'international standards'.
 - Ireland should withdraw from the UN (several speakers).