



**Churches
in Ireland**
Connecting
in Christ

**Irish Inter-Church
Meeting**

Church in Society Forum

Submission

Consultation Process on New Human Rights and Equality Commission

Introduction

The Church in Society Forum welcomes the decision of the Irish Government to establish a new Human Rights and Equality Commission and is pleased to take this opportunity to respond to the general invitation to make a submission in relation to the functions, features and priorities of the new body.

The Church in Society Forum draws its membership from appointed church representatives with expertise in social issues and public policy from across the 14 member churches of the Irish Inter-Church Meeting.

Role of Churches as active players in defending human rights

Christian Churches as faith communities are a key part of civil society. They are advocates for the protection and promotion of human rights and for respect for the dignity of all human beings, and through the programmes and services which they provide or support they seek to ensure that the dignity and rights of people are protected.

In relation to law and policy-making, Churches monitor and engage with decision-making processes in order to promote coherent policies which respect values such as human rights, solidarity, responsibility, sharing and non-discrimination. Christian Churches also monitor and lobby for religious freedom not just for their own communities but for other creeds and faith communities.

Churches as an important constituent for consultation

The efforts of the Churches to promote human dignity and social justice are enhanced where a consultation process is ensured. An important element of the work of the Churches is to review initiatives undertaken in terms of new legislation and policy, and the programmes and services which follow from these, and critically examine the effectiveness of policy and practice in meeting the needs of individuals and communities. This role cannot be considered in isolation from Ireland's obligations arising from international human rights instruments. It is these obligations which must find authentic expression in national legislation, policies, procedures and practice. Legal instruments, while vital, are only part of the answer. The fostering of mutual understanding, tolerance and respect is essential and needs to occur at every level and in many different ways within society. Wherever and whenever these fall short, the voice of the Churches should be heard.

The Church in Society Forum will follow with interest the development of the new Human Rights and Equality Commission and monitor closely the merger between the two bodies (Irish Human Rights Commission and the Equality Authority) and its impact on their former powers and responsibilities. Churches will continue to highlight the need to maintain a balance between 'rules' (i.e. legal perspective) and 'practice' (equality, services) for each of these functions.

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In particular, the Forum stresses the importance of good communication and consultation by the new body with as wide a range of groups as possible, so that real dialogue can take place on relevant proposals before they are cast in stone. In addition, the Forum would like to indicate its availability and willingness to be consulted as part of the processes the Commission puts in place.

Importance of economic and social rights

A vitally important part of the work of the new Commission will be defending the rights of those who are most vulnerable to the effects of the present economic crisis – those who are living on low incomes and those whose current wellbeing and future prospects depend on access to adequate public services, including health care, social care and supports, social housing and education. In effect, these are the people who are subject to the deeply damaging effects of economic inequality, in one or more of its many guises.

Irish equality legislation does not specifically cover economic inequality – even though this is, in itself, the most prevalent form of inequality and furthermore may intersect with the types of inequality that are specified in the equality legislation.

This gap in equality legislation makes it all the more important that the new Commission should give priority to defending and promoting economic and social rights. Ireland is a State Party to a range of international treaties which are concerned with such rights and all of the treaties specify that these rights are to be available to all persons, without discrimination of any kind. The new Commission, therefore, has a vital role in reminding the Irish State that it has entered into binding commitments to respect, protect and promote economic and social rights, and that budgetary priorities and the services provided by the State must reflect these commitments.

Role of Commission in UN treaty monitoring processes

The new human rights body will take on the function of playing a key and specified role in the monitoring processes in respect of the UN human rights treaties which Ireland has ratified. If these UN systems are to be effective in monitoring Ireland's implementation of the treaties it has ratified, it is essential that the new Commission be adequately resourced to play a full part in the examining processes, including being able to provide reports to the relevant UN Committees that clearly reflect the impact of current policies and services on people's lives and being able to consult and enter dialogue with civil society actors, including Churches.

Independence of Commission

It is essential that the new Commission be independent of Government and that it be provided with the resources and authority to act independently. A prerequisite for this independence is a transparent and objective process for the selection of Commission members. This process should be open and the procedures should be characterised by impartiality, fairness and a concern to ensure a wide representation among the membership.

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