**UPR Interventions – Departments**

Contents

[**Ambassador Gaffey – Introductory remarks** 2](#_Toc87374904)

[**Minister O’Gorman – Opening Statement** 2](#_Toc87374905)

[**Deaglán O’Briain– Department of Justice** 2](#_Toc87374906)

[**Mary O’Regan – Department of Justice** 2](#_Toc87374907)

[**Jonathan Patchell – Department of Health** 2](#_Toc87374908)

[**Lara Hynes – Department of Children, Equality, Disability Integration and Youth** 2](#_Toc87374909)

[**Niall Brunell - Department of Children, Equality, Disability, Integration and Youth.** 2](#_Toc87374910)

[**Carol Baxter - Department of Children, Equality, Disability Integration and Youth** 2](#_Toc87374911)

[**Jane Ann Duffy – Department of Children, Equality, Disability, Integration and Youth** 2](#_Toc87374912)

[**Ann Murray – Department of Education** 2](#_Toc87374913)

[**Eamonn Waters - Department of Housing, Local Government and Heritage.** 2](#_Toc87374914)

[**Olivia Clarke – Department of Social Protection** 2](#_Toc87374915)

[**Laura McGarrigle - Department of Children, Equality, Disability, Integration and Youth.** 2](#_Toc87374916)

[**Minister O’Gorman – Closing Statement** 2](#_Toc87374917)

# **Ambassador Gaffey – Introductory remarks**

Madame Vice-President, Excellencies,

I am pleased to welcome you all to Ireland’s third cycle review under the Universal Periodic Review process. Ireland greatly values the UPR as a unique and constructive process for States to monitor domestic human rights situations. I wish to thank the delegations for their active engagement. We are honoured that 105 states will intervene in the UPR of Ireland, and look forward to hearing their recommendations.

I also wish to thank the Secretariat for their assistance in preparation for Ireland’s review, we look forward to the continued collaboration with them and with the Troika throughout this review process.

Ireland recognises that human rights must be at the heart of our work for a fairer, more just, more secure and more sustainable world. We are committed to the central place of human rights in our domestic and foreign policy. We are actively engaged at the Human Rights Council on a wide range of issues, with a particular focus on civil society space, and on the issue of reprisals. As an elected member of the UN Security Council Ireland has continued to engage in its work with a principled and human rights focus.

We are proud of our human rights record and the steps we continue to take to protect and promote human rights domestically and on an international stage. In a constructive spirit, we also recognise room for further improvement and learning on our engagement with human rights issues. We therefore look forward to UN Member States’ recommendations and to engagement with civil society on implementing these recommendations.

Our commitment to the UPR process is demonstrated by the large high-level delegation joining this review virtually. I am particularly pleased to welcome the Minister for Children Equality, Disability, Integration and Youth, Roderic O’ Gorman as head of the delegation who will outline the significant developments in Ireland since our last review.

I thank the Vice-President and distinguished delegates again for their participation today and pass the floor to Minister O’ Gorman.

# **Minister O’Gorman – Opening Statement**

Thank you Madam Vice President.

Excellencies, distinguished delegates, civil society representatives: It is an honour for me to address you on the occasion of our third UPR cycle. Thank you all for your engagement today with Ireland’s review. We are looking forward to listening to you, the members and observers in the Human Rights Council, who have comments or recommendations to make.

In my opening statement, I will set out the Irish Government’s continuing commitment to progress on human rights issues. I will address some of the advance questions received and I will touch on some of the significant developments that have taken place in Ireland over the past five years.

I am accompanied by a national delegation with representatives of a number of Government Departments, reflecting the importance with which we regard the UPR process.

Ireland has worked proactively over many years to protect and advance human rights domestically. We have also endeavoured to contribute to the promotion of human rights globally.

We are assisted by a robust and independent domestic civil society and non-governmental sector, which keeps a spotlight on key human rights issues. Many of our civil society organisations played a valuable role in our consultation process which took place last May.

I will now outline some of the key human rights developments in Ireland since our 2016 review. One of the most significant developments has been the change to our Constitution, mandated by the people, which has allowed broader legislation on termination of pregnancy to be introduced.

Amending the legal position on abortion in Ireland required a change to Article 40.3.3 of the Constitution. In May 2018, a referendum was held on the Constitution and to substitute it with wording confirming that the parliament may make laws for the regulation of the termination of pregnancy. The referendum passed by a majority, on foot of which, the Health (Regulation of Termination of Pregnancy) Bill 2018 was signed into law in December 2018. The Act commenced in January 2019.

Thank you to the UK for their question in relation to advancing the rights of people with disabilities. In March 2018, Ireland ratified the UN Convention on the Rights of Persons with Disabilities.  This marked an important milestone in a process to strengthen the rights of people with disabilities in Ireland that has gathered momentum since Ireland became a signatory to the Convention in 2007. Ireland received several recommendations to ratify the UNCRPD at our last UPR session which we accepted and have acted upon.

Germany raised an advance question in relation to addressing discrimination against the Traveller and Roma Communities. In March 2017, Dáil Éireann, the Irish parliament, formally recognised Traveller ethnicity. There was cross-party support for this initiative, which recognises the distinct ethnic and cultural identity of members of the Traveller community and their longstanding contribution to Irish society.

The Irish Government has sought to bring about meaningful change and progress for the Traveller and Roma communities through a strategic process, the National Traveller and Roma Inclusion Strategy, published in 2017. The Strategy encompasses actions on cultural identity, education, employment, health and accommodation. It is overseen by a monitoring committee, which I chair, which includes members of the Traveller and Roma communities and of Government Departments and Agencies, reflecting the process of collaboration between Government and civil society in advancing key rights.

This year marks the 10th anniversary of the Istanbul Convention, which Ireland ratified on International Women’s Day 2019. Our ratification played a key role in introducing more robust national legislative and policy standards to tackle gender-based violence. Work is currently taking place to develop the Third National Strategy on domestic, sexual and gender-based violence. This new Strategy is being co-designed in partnership with the civil society organisations that provide services to those experiencing domestic violence. It will be the most ambitious strategy to date and will radically improve services and supports for victims.

Thank you to Germany and Spain for their advance questions in relation to (a) implementing the recommendations made by the Mother and Baby Homes Commission of Investigation and (b) establishing a mechanism to monitor compliance with the recommendations.  The Irish Government takes its responsibility to investigate and address historic instances of human rights issues in institutional setting very seriously. I can confirm that the Government has developed an Action Plan setting out 22 specific actions which take account of all the Commission’s recommendations, as well as the priority needs and concerns of survivors and their families.  I hope to publish the Action Plan in the near future.  Implementation of the commitments set out in the Action Plan will be robustly monitored, including by means of an annual report which will be laid before parliament.

Thank you to Panama and Spain for the advance questions raised in respect of gender equality. Since our last Review Ireland has developed and applied a strategic approach to gender equality, under its whole-of-Government National Strategy for Women and Girls 2017-2021. The vision at the heart of this strategy is ‘an Ireland where all women enjoy equality with men and can achieve their full potential, while enjoying a safe and fulfilling life.’ The Strategy has led to the enactment of legislation requiring companies to undertake gender pay gap reporting. Family leave entitlements have been significantly improved. The Government has also rolled out an equality budgeting initiative which assesses the equality impacts of budgetary decisions.

Ireland achieved a world-first in 2018, with the launch of the LGBTI+ National Youth Strategy which was followed by publication of Ireland’s first National LGBTI+ Inclusion Strategy in 2019. The Strategies enable work across Government to ensure that LGBTI+ people are treated equally and that their rights are protected.

Ireland has robust equality legislation, which provides the legislative framework for the promotion of equality in Irish society. This legislation has been in place for 20 years, and I feel that it is timely to review the law in this area, and to ensure that it is effectively promoting equality and combatting discrimination. I have launched a review process, starting with a public consultation process, currently underway, and plan to bring forward legislative proposals next year to strengthen the legislation, including enhancing gender identity protections and it will specifically look to strengthen protections for transgender people in line with a commitment in the Programme for Government.

Developments are also underway in addressing hate crime and hate speech. Plans for new legislation to combat incitement to hatred and hate crime were announced earlier this year following consideration of 3,600 public submissions, and in-depth consultation with a range of people who have lived experience, as well as civil society, academics and experts.

The Harassment, Harmful Communications and Related Offences Act was enacted last February This new law provides for an offence of sending, distributing or publishing a threatening or grossly offensive message to or about another person with intent to cause harm. It covers all forms of online and offline communications that cause harm to a victim.

Human rights are at the core of policing, and this emphasis is being further strengthened by the ongoing process of reform of policing as part of the implementation of the recommendations of the Commission on the Future of Policing in Ireland.

 The recently announced landmark **Policing, Security and Community Safety Bill** will provide for the most wide-ranging and coherent reform of policing in a generation by improving the performance and accountability of Ireland’s policing and security services. The legislation places a central emphasis on supporting the human rights of all people throughout Ireland and ensuring that people both are safe and feel safe in their communities.

Turning to international protection, Ireland is committed to providing safe, lasting refuge to those who seek protection due to war, persecution and migratory pressures. Ending Direct Provision is a key commitment of the Irish Government, explicitly contained in the Programme for Government, and a priority for me as Minister. I was pleased earlier this year to publish A White Paper to End Direct Provision and to establish a New International Protection Support Service.

This White Paper sets out a new Government policy on the accommodation and supports for international protection applicants by the State. We are moving to a new mode, which will be explicitly centred on a human-rights approach and delivered in cooperation with civil society. The new model will give asylum seekers targeted services focused on their needs. Asylum seekers will be entitled to own room accommodation if single, or own door accommodation, if a family. These units will be in houses, apartments and small urban renewal buildings in urban centres.

Ireland has worked consistently to meet its international obligations to refugees and those seeking international protection through its International Refugee Protection Programme which has offered refuge to thousands of programme refugees, primarily Syrians, since 2016. The latest strand of this programme is working to admit a further 2,300 programme refugees by 2023. The programme has continued to operate, notwithstanding Covid, and a selection mission was held in Beirut in September 2021 while a further mission is currently underway in Jordan.

The Irish Government has also responded flexibly to other crises, most recently in Afghanistan. It has offered protection to human rights defenders, LGBTI+ and gender equality activists, journalists as well as judges. To date, 506 people have been offered programme refugee places in Ireland. This work will continue into the future.

Ireland has consistently worked to protect the rights of those living in our country. Implementation of the Migrant Integration Strategy, published in 2017, highlighted the need for a national framework to combat racism. In response, the Government established an independent Anti-Racism Committee, which was tasked with developing a National Action Plan against Racism for Ireland, which will be launched in early 2022. The Committee undertake a broad public consultation on this process during the summer.

In response to the advance question from Panama on actions taken to address the negative impact of climate change, I am pleased to say that Ireland has been very active in responding to the need for climate action. In July, we passed the **Climate Action and Low Carbon Development (Amendment) Act 2021** which commits us to reach a legally-binding target of net-zero emissions by 2050 at the latest, and a cut of 51% by 2030 (compared to 2018 levels). This Act provides the framework for Ireland to meet its international and EU climate commitments and to become a leader in addressing climate change.

As I said at the outset, Ireland regards the UPR as a valuable and critically important mechanism. We are committed to ongoing improvement in the protection and promotion of human rights and to engagement and dialogue with civil society stakeholders in this regard.

I now hand you back to the Vice President and we look forward to this afternoon’s dialogue.

# **Deaglán O’Briain– Department of Justice**

Separately attached

# **Mary O’Regan – Department of Justice**

Separately attached

# **Jonathan Patchell – Department of Health**

Thank you, Mary,

Madam Vice President, Excellencies, as with other countries around the world, COVID-19 has affected all aspects of Irish society. From the outset of the pandemic, decision making in Ireland has been informed by seven key ethical principles: minimising harm, proportionality, solidarity, fairness, duty to provide care, reciprocity and privacy.

A Pandemic Ethics Advisory Group was established early in the COVID-19 crisis as an expert subgroup of the National Public Health Emergency Team. With its expert advice, the Department of Health published a number of ethical guidance documents, including an Ethical Framework for Decision-making in a Pandemic in March 2020.

Over the course of the pandemic individual rights and freedoms have been restricted, in the interests of public health, which has placed a considerable burden on individuals, communities and society as a whole. Ireland continues to ensure that public health measures adopted are equitable, reasonable and proportionate.

As a result of the successful COVID-19 vaccination programme, the majority of mandatory public health restrictions have been lifted and as we move forward, measures to combat the pandemic will increasingly be voluntary.

As the Minister mentioned in his opening statement, following a referendum in 2018, the Health (Regulation of Termination of Pregnancy) Act 2018 became law on 20 December 2018. It allows termination to be carried out in cases where there is a risk to the life, or of serious harm to the health, of the pregnant woman; where there is a condition present

which is likely to lead to the death of the foetus either before or within 28 days of birth; and without restriction up to 12 weeks of pregnancy.

Expanded termination of pregnancy services commenced on 1 January 2019 and are available free of charge in community and hospital settings across the country.

Services continued during the pandemic, with arrangements put in place to enable remote access in early pregnancy. During 2020, 6,577 terminations were carried out.

A review of the operation of the Act is being progressed this year, in line with statutory and Government commitments, and will conclude in 2022.

Finally, the Department of Health recently completed a review of the Mental Health Act, updating it in line with our commitments under the UN CRPD. It is expected that a Bill to amend the Act will be introduced in 2022.

The Mental Health Act was temporarily amended in March 2020 as part of Ireland’s response to the spread of Covid-19. These amendments were primarily related to the operation of mental health tribunals, which review involuntary detention and the examination of individuals by an independent consultant psychiatrist. These measures will expire on 9 November 2021.

I’ll pass over now to [Lara Hynes] of the Department of Children, Equality, Disability Integration and Youth

Thank you.

# **Lara Hynes – Department of Children, Equality, Disability Integration and Youth**

Good afternoon, my name is Lara Hynes and I am the Principal Officer over the Child Care Legislation and Children’s Rights Policy Unit of the Department of Children, Equality, Disability, Integration and Youth.

**Ensuring that the views of children and young people are heard**

As part of the Department of Children, Equality, Disability, Integration and Youth’s preparation for the reporting process under the UPR, UNCRC and UNCPRD, we undertook consultations with almost 1,300 children and young people to secure their views on the implementation of children’s rights in Ireland.

Participants came from a variety of urban and rural locations, including from hard to reach populations such as those living in designated disadvantaged areas, with English as a second language or with special educational needs.

The findings from this consultation process have been analysed and a large-scale launch is planned to publicise them.

**UNCRC Optional Protocol 2**

The Irish Government continues to be strongly committed to the ratification of the 2nd Optional Protocol of the UNCRC on the sale and sexual exploitation of children and preparations to ratify the protocol are at an advanced stage.

Legislation has been passed which enhances the protection of children and vulnerable persons from sexual abuse and exploitation and provides improved supports to children.

The Irish Department of Justice is still determining whether a small number of additional legislative measures may be required and if so, they will be brought forward at the earliest opportunity.

Ireland has also launched a new integrated service to provide wraparound support to victims of child sexual abuse which is modelled on the 'Barnahus' model.

**National Action Plans**

Better Outcomes, Brighter Futures: the National Policy Framework for Children and Young People from 2014 – 2020 represented the first overarching national children’s policy framework for children and young people aged up to 24 years of age. It adopted a whole of Government approach underpinned by a number of strategies in the areas of early years, youth and participation to achieve better outcomes for children and young people.

**Age of Criminal Responsibility**

For the vast majority of crimes and for most purposes the effective age of criminal responsibility in Ireland is 14. Ireland’s rights-based and child-centred youth justice system ensures that children are prosecuted only as a last resort and when diversion is not appropriate –i.e. only for serious offences or for repeat offending where earlier interventions have not been successful.

# **Niall Brunell - Department of Children, Equality, Disability, Integration and Youth.**

[Madam Vice-President],

Ireland is committed to advancing the rights of Persons with Disabilities.

Ireland has submitted its first State Report to the Committee on CRPD. This was developed following extensive consultation with persons with disabilities, disabled persons organisations, representative organisations, and families.

The Convention requires the participation of persons with disabilities in policy development. The Minister’s Department has funded a Disability Participation and Consultation Network to build capacity so persons with disabilities can participate fully in policy making. This formed in 2020. Its first task was to review the State Report.

Ireland has two existing national strategies that advance the rights of persons with disabilities - The Comprehensive Employment Strategy and the National Disability Inclusion Strategy. Following ratification of CRPD, Ireland will develop and co-design with persons with disabilities an overarching UNCRPD Implementation Plan. This will include examining the requirements for ratification of the Optional Protocol.

Responding to advance questions, both Strategies exist to provide a whole-of-government and inter-agency approach to coordinate policy and action and break down barriers and challenges. The National Disability Authority independently assesses progress on an annual basis.

Since the last reporting cycle, key progress includes:

• Increased awareness of UNCRPD

• Working groups addressing specific challenges such as better Transitions across state services, better transport, better use of assistive technologies

• Grant funding to improve access and participation in community life

• Legal recognition of Irish Sign Language

• Recognition of the Access and Inclusion Model for early learning as a model of good practice by the UN

• The National Plan for Equity of Access to Higher Education set an 8% target for persons with disabilities in higher education. In 2019/2020, 12.2% of new entrants were students with disabilities.

• There represents a 71% increase in students with physical or mobility disabilities; a 46% increase in students with hearing impairments, and a 26% increase in students with vision impairment.

Ireland continues to address the specific challenges faced by persons with disabilities in accessing equal employment. Action under the Employment Strategy includes:

• Funding an employer’s advice service

• An online training programme to support employers in becoming “disability confident”

• Progressing recommendations from the Make Work Pay Report

• A Public Appointment Service Guide to Promoting Inclusive Employment

• The Ability Programme which provides pre-activation programmes for young persons with disabilities

• Targeted financial supports; both income supports, which allow for the retention of payments while persons with disability are in employment, and

 employment-related supports, for both jobseekers and existing employees with disabilities, and for their employers

• Awareness raising initiatives scheduled for 2022 which had been postponed during Covid

• Under forthcoming legislation, Ireland will raise the public sector duty on employing persons with disabilities from 3% to 6%.

Since the last reporting cycle significant progress has been made to abolish the outdated ward of court process and replace it with a functional capacity model. This will be achieved via full commencement of the Assisted Decision-Making (Capacity) Act in June 2022, once amending legislation being prepared has been enacted. This will allow persons with disabilities greater independent control over the choices that affect their lives, livelihoods and wellbeing.

Thank you.

**[Second Intervention]**

# **Carol Baxter - Department of Children, Equality, Disability Integration and Youth**

Madam President, Excellencies,

Ireland has worked consistently to meet its international obligations to refugees and asylum seekers since its last UPR appearance.

The Irish Government is working to end the Direct Provision system for asylum seekers and is now, under the Minister’s leadership, implementing the White Paper to End Direct Provision and to establish a new International Protection Support System where a new accommodation and support model, with human rights at its core, will be in place by December 2024.

Since 2016, it has also implemented a series of reforms to the current system. These have included:

o Giving the Ombudsman and Ombudsman for Children the authority to investigate complaints regarding the provision of accommodation and related services to asylum seekers;

o Providing self catering and own door facilities to an ever greater proportion of residents;

o Supporting those with permission to remain in Ireland to secure accommodation in the community;

o Giving asylum seekers the right to work within 6 months of arrival in Ireland;

o Enabling civil society to support asylum seekers through Friends of the Centre groups that are now established in accommodation centres and to run information and advice services;

o Developing national standards for the provision of accommodation and related services in cooperation with civil society which came into effect in January 2021. These will be reviewed by an independent oversight body, the Health Information and Quality Authority, which is beginning to monitor accommodation centres against these standards;

o Enabling asylum seekers to avail of third level education options.

Ireland opted into the EU Recast Reception Conditions Directive in 2018 which sets a series of obligations for international protection accommodation.

This includes the development of a vulnerability assessment process to assess potential vulnerabilities of those wishing to avail of International Protection Accommodation Services accommodation and their needs in terms of accommodation and related services. A pilot vulnerability assessment process has been operating since December 2020. As of 1 October 2021, 850 vulnerability assessments had been undertaken.

Ireland is also implementing a series of reforms to reduce processing times for applications for asylum and for the appeals process to 6 months respectively for each process.

An end-to-end review of the applications process has been completed and published. The reforms include streamlining processes to expedite applications, eliminating unnecessary

stages in the applications process and training more staff to conduct interviews and complete reports.

I will hand over to Jane Ann Duffy who will set out the main equality-related initiatives being undertaken by Ireland.

# **Jane Ann Duffy – Department of Children, Equality, Disability, Integration and Youth**

I will address developments in gender equality.

In response to an advance question from Germany, the Citizens’ Assembly on Gender Equality first met in January 2020 to consider gender equality and make recommendations to Government on politics and leadership, caregiving and childcare, domestic, sexual and gender-based violence, pay and the workplace, and social protection. They presented their final report and recommendations to Parliament in June 2021 and all 45 recommendations, including those for constitutional change, are currently being carefully examined for their policy and legal implications.

In order to support victims of domestic violence and ameliorate the risk of poverty for women victims in particular, Ireland is examining the introduction of a statutory entitlement to Domestic Violence leave. Policy proposals on how best to support employees experiencing domestic abuse, including a form of leave, are being prepared for consideration by Government following an examination of international best practices and consultations with victims representatives and employers.

Participation of women in decision-making is a significant component of gender equality policy. Across Government the long-standing target of 40% men and women on State Boards was enhanced by the publication in 2020 of an Annex to the Code of Practice for the Governance of State Bodies which addresses Gender Balance, Diversity and Inclusion. In addition, the Stateboards.ie service was launched in 2015, to provide an open, efficient and effective gateway and process to identify top quality people for consideration by Ministers for appointment to State Boards. Analysis of the 203 State Boards using this process in June 2021 indicate that just over 50% of State Boards now meet the 40% target, an increase from almost 48% in 2018.

In the private sector, the development of ‘Balance for Better Business’, a business-led initiative to increase the number of women on corporate boards, has also shown positive results. Since its launch in 2018, the percentage of women on the boards of the top publicly listed companies in Ireland has increased from 18% to 30%.

We know that men play a crucial role in supporting gender equality and a webinar is planned for the coming months on work underway to identify, quantify and track trends in societal norms around masculinity and femininity by applying the approach recommended by the OECD ‘Man Enough’ report to Irish data. We would be happy to share any learnings from this process more widely.

Thank you Madam Vice-President. I will now hand over to Anne Murray from the Department of Education.

# **Ann Murray – Department of Education**

Madam Vice President, Excellencies, members of the Working Group.

**Introduction**

The Department of Education’s mission is to facilitate every individual, through learning, to achieve their full potential and to ensure that our education system upholds the rights of every individual to an education whatever their circumstances.

In the schools sector there have been significant developments in recent years, with progress made across the education and training sector. This includes the Education (Admission to Schools) Act 2018, which the Minister has referred to in his opening remarks. I will outline other achievements in a number of different areas of the education system.

**Multi-denominational education provision**

In relation to Multi-denominational education provision, our objective is to have at least 400 multi-denominational schools in the primary system by 2030. Over the last decade, 119 new schools at primary and post-primary level have been opened or reconfigured, of which 114 are multi-denominational. The Schools Reconfiguration process is aimed at accelerating the delivery of multi-denominational schools across the country.

**Human Rights Education**

Regarding Human Rights Education and citizenship, the curriculum, at both primary and post primary level, is considered to be for all learners.

At primary level, the curriculum aims to foster inclusivity where equality and diversity are promoted. Awareness of the diversity of peoples and environments helps children to understand the world and contributes to their personal and social development as citizens of a global community.

At post-primary level, through the use of a human rights and development framework, Civil, Social and Political Education helps students to question, critique and evaluate what is happening in the world; providing an understanding of their human rights and social responsibilities.

**Wellbeing**

The promotion of wellbeing for all children and young people is central to the Department’s mission to enable our young people to achieve their full potential and be the best they can be. The Department has a target that all schools and centres for education will have initiated a School Self-Evaluation Wellbeing Promotion Process by 2025.

**School Community**

The Education (Student and Parent Charter) Bill 2019 aims to improve communication and engagement within the whole school community. It is vitally important that schools listen to the student voice and actively invite and respond to comments and feedback from children and young people.

**Education of persons with special educational needs**

Ensuring that every child has a suitable education placement is an imperative for the Department. We have put in place the policy framework, funding and administrative delivery structures to support this objective. Every child must have the opportunity to avail of his or her right to education pursuant to their constitutional and legal rights and in accordance with their identified needs.

The level of investment by Government in special education in Ireland, at €2 billion, is at an all-time high. This investment provides the necessary additional teaching, care and other specialist supports for the inclusion of children with disabilities in school life and education.

**Traveller Education**

The education system in Ireland is underpinned by a policy of inclusion, where children, including migrant and traveller children attend mainstream schools and additional supports are allocated on the basis of identified additional educational need. A key objective is that access, participation and outcomes for Travellers in education should be improved to achieve outcomes that are equal to those for the majority population.

**Conclusion**

The Department of Education is committed to ensuring equity of opportunity in education and that all students are supported to fulfil their potential.

Madam President, Excellencies, members of the Working Group, I thank you for your time today and pass the floor to my colleague from the Department of Housing, Local Government and Heritage.

# **Eamonn Waters - Department of Housing, Local Government and Heritage.**

I want to thank you for the points and the questions raised. I will now deal with issues related to housing.

I will expand on the information in Ireland’s national report.

Providing Traveller accommodation, addressing homelessness and dealing with wider social housing needs, are priorities for Ireland. Significant resources are being committed.

The Traveller-specific accommodation budget for 2020 was €14.5 million. It was fully utilised. There was a particular emphasis on measures to minimise the spread of Covid 19. It is expected that the 2021 budget of €15.5m will also be fully spent.

Accommodation for Traveller households is provided across a range of housing options and not just from this budget.

There is specific legislation to provide for the accommodation needs of Travellers.

An annual count of traveller households is carried out every November. The most recent audited count for 2020 indicates that there were approximately

10,809 Traveller households in Ireland, 78% of whom live in standard accommodation and 22% of whom live in Traveller Specific accommodation.

The Traveller Accommodation Expert Report of July 2019 sets out an integrated set of recommendations. A Programme Board on which Travellers are represented has been established to oversee implementation.

The following are some initiatives already undertaken:

\* The Funding Allocation System has been revised and budgets increased.

\* A Traveller Identifier is to be included on the Social Housing application form.

\* Support costs for management and maintenance of Traveller-Specific Accommodation has been increased by 50%

\* A pilot preferential caravan loan scheme has been rolled out with a view to a national rollout in 2022

**Housing and homelessness**

Dealing more broadly now with issues of housing and homelessness, Ireland’s new housing strategy and was recent launched this year. It is titled, ‘Housing for All - a New Housing Plan for Ireland’.

It is a multi-annual, multi-billion euro plan, which is improving Ireland’s housing system and delivering more homes for people with different housing needs. There is a commitment to eradicate homelessness by 2030.

The Plan confirms a ‘Housing Led’ approach for all groups. The most effective way to address homelessness is to provide more accommodation.

Under the Plan there are specific and costed actions to increase supply, with over 90,000 social homes, 36,000 affordable and 18,000 cost rental homes to be delivered by 2030.

€4 billion is being invested annually on social and affordable housing. This is the biggest such programme in the history of the Irish State.

The ‘Housing First’ programme is central in addressing the needs of homeless single people who have complex support needs.

For families trapped in long-term homelessness, enhanced supports are being provided to help them exit homelessness and maintain their homes.

There is strong stakeholder involvement. A High-Level Homelessness Taskforce has been established with organisations from Civil Society to ensure these measures are implemented.

Overall then, there are challenges ahead, but good progress is being made.

Thank you.

# **Olivia Clarke – Department of Social Protection**

Madame Vice-President,

In 2016, Ireland was in the midst of a strong recovery following the global financial crisis. The average unemployment rate was 8.4 percent, down from a peak unemployment rate in 2012 of 15.5 percent.

The Government’s ambition to support the ongoing economic recovery, while also strengthening supports for disadvantaged groups, was outlined in the employment services strategy of the time, Pathways to Work 2016-2020.

The key objectives of that strategy were, to assist the unemployed into employment while also prioritising young people, the long term unemployed, people with disabilities and lone parents.

By the end of 2019, over 90 percent of the actions of the Pathways to Work strategy had been completed and the following were realised:

Ireland’s unemployment rate was 4.5 percent,

Youth unemployment had fallen from 16.6 percent to 9.6 percent,

The number of people who had been unemployed for greater than a year fell from 108,000 to below 39,000.

In response to the COVID 19 pandemic, the Government quickly implemented two large scale income support schemes; the Pandemic Unemployment Payment and the Wage Subsidy Scheme.

The Pandemic Unemployment Payment was designed to deliver a payment within a week to hundreds of thousands of people. It was paid at a rate of €350 per week . The payment was set to be broadly equivalent to the average take-home pay in the two most affected sectors – hospitality and Retail.

It was paid to the full range of workers in the State, irrespective of the length of time worked, to those who would not normally qualify for income support - such as full-time students - and also to employed and self-employed people.

At the peak of the health restrictions in May 2020, over 1.2 million people were being supported by either COVID-19 income supports or traditional unemployment payments.

Since March 2020, Ireland has spent nearly €17 billion supporting workers affected by the consequential closure of the economy due to Covid-19 restrictions.

This all-inclusive approach to providing support during the crisis, has been lauded for its success in meeting the financial needs of all those who needed it.

A new Pathways to Work strategy to 2025 was launched this July, which focuses on providing supports to groups that faced disadvantage prior to the pandemic

Some of the key measures include:

A new Work Placement Experience Programme with 10,000 places for unemployed people to take up internships.

Funding for 50,000 further, education and training places.

Places on public employment programmes for people from disadvantaged and minority backgrounds.

A Traveller and Roma Training, Employment and Enterprise Plan.

An intensive model of engagement with young people at risk of long-term unemployment.

Strong signs of recovery have emerged. When recipients of the Pandemic Unemployment Payment are included, Ireland’s Covid-adjusted unemployment rate reached 31.5 percent in April 2020. This has fallen to below 8 percent in October 2021.

With the lifting of restrictions now largely complete, youth unemployment has fallen to 11 percent in October 2021 from a high of over 60 percent.

These trends indicate the strength of the recovery and the Government’s commitment to focus supports on those who are disadvantaged.

Thank You Madame Vice-President, I will now pass you to my colleague Laura McGarrigle from the Department of Children, Equality, Disability, Integration and Youth.

# **Laura McGarrigle - Department of Children, Equality, Disability, Integration and Youth.**

The Irish Government takes its responsibility to investigate and address historic wrongs very seriously. In the context of Mother and Baby and County Home institutions, the State repeatedly failed to protect vulnerable citizens, and to uphold their fundamental rights. This is the view of the Irish Government, as articulated in An Taoiseach’s apology following publication of the Report of the Independent Commission of Investigation into Mother and Baby Homes this January.

On publication, Government approved a suite of 22 specific measures aimed at responding to its recommendations and addressing the priority needs and concerns of survivors. We are currently finalising a high level Action Plan to provide a framework for implementing and monitoring this wide-ranging suite of commitments. We hope to publish the Action Plan very shortly.

Government has been conscious of the need to move swiftly on these important actions and significant progress has been made since January.

In May 2021, we published draft legislation to guarantee a right of access to birth and early life information for all persons who are adopted or have questions in relation to their origins. The parliamentary Pre-Legislative Scrutiny Report is awaited, but we hope to receive this and be in a position to publish the final Bill by the end of this year so that the legislation can be enacted quickly.

We have also published draft legislation to allow for exhumation, identification and dignified reburial of the infants at the Tuam burial site. This legislation will also allow intervention at other sites should similar circumstances come to light. The draft legislation has undergone extensive parliamentary Pre-Legislative Scrutiny. Government is carefully considering the recommendations from that process and hopes to publish the Bill by the end of the current parliamentary session.

We will soon be publishing details of a major Scheme to provide eligible survivors and former residents with a financial payment and a form of enhanced medical card. This work has been informed by an extensive public consultation, as well as advice from the Irish Human Rights and Equality Commission. Full details of the Scheme will be announced following Government approval, and it is hoped that the Scheme will open to applications in 2022.

Government is aware that for many survivors, their experiences in these institutions continue to affect them greatly. Counselling services for survivors are available to all free of charge.

We are progressing commitments on memorialisation at both a national and community level, and we continue to provide funding to local survivor groups who wish to organise commemorative events.

We welcome today’s opportunity to update the Human Rights Council on the State’s progress in responding comprehensively and holistically to the legacy of these institutions. We are committed to enhanced engagement and dialogue with survivors as we advance our overall response. We are aware of the urgency of this work which is an absolute priority for the Government.

# **Minister O’Gorman – Closing Statement**

Madam Vice President, Excellencies

Before I close, I would like to respond to some of the issues raised.

With regards to the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, I can confirm that Ireland intends to ratify this Convention as soon as is practicable. It is likely that new legislation will be required to enable Ireland to fully ratify the convention. However, a number of measures are already in place, which protect persons against unlawful detention include a protection under the Constitution, which provides that no citizen shall be deprived of their liberty save in accordance with law.

In response to the advance question from the UK, in relation to ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, I can confirm that the necessary legislation to allow for ratification of the Optional Protocol, the General Scheme of Inspection of Places of Detention Bill, is currently being drafted and will be brought to Government for approval as soon as possible.

Subject to Government and Parliament’s approval, this legislation will create a new Office of Inspector of Places of Detention, which will be designated as a single National Preventative Mechanism for places of detention in the Criminal Justice Sector and allow for the establishment of a multiple institution National Preventative Mechanism in the State.

In February 2019, Ireland became the 29th country to ratify the International Labour Organisation (ILO) Forced Labour Protocol, thus making Ireland part of the “Fifty for Freedom” campaign. Ratification of the Protocol is a further demonstration of Ireland’s commitment to acting against labour exploitation in all its forms. Ireland recognises that forced labour undermines the principles of human rights. As mentioned earlier, Ireland has a comprehensive suite of employment rights legislation and continues its efforts to eliminate human trafficking.

With regards to some of the gender equality issues raised, reforms to electoral legislation in 2016 to increase the participation of women in politics mean that political parties will see their State funding halved if they do not meet the requirements to have at least 30% female and 30% male candidates in general elections. This quota will rise to 40% from 2023. In 2017, the Irish Women’s Parliamentary Caucus was established as a cross-party forum for female parliamentarians to discuss and campaign on issues predominantly affecting women. A range of measures have been taken to encourage greater female representation in local government, including grants to civil society organisations and to political parties for training potential female candidates, awareness-raising campaigns, and support for setting up women’s caucuses in local government

In my opening statement, I spoke about the ongoing process of reform of policing. I would now like to briefly mention progress that has been made in relation to the Irish Prison system.

Overcrowding is not currently a feature of the Irish Prison Estate which is currently operating at 88% of bed capacity

The Irish Prison Service was extremely proactive in its response to Covid and its successful record in managing this challenge was a result of a strong focus on care, in partnership with those in custody.

Significant progress continues to be made to eliminate the practice of “slopping out”, which has now been virtually eliminated in Irish prisons.

The Irish Government is acutely aware of the fact that women in prison are a vulnerable group within the system and that the impact of imprisonment is considerably greater on women and their wider families. As a result, modern prison facilities for women are designed differently.

The Dóchas Centre, which accommodates the majority of female prisoners in Ireland, was purposely built and specifically designed for women and is focused on providing a supportive rehabilitative regime that mirrors, as much as possible, living in ordinary accommodation to assist reintegration into society. The construction of a new female prison facility in Limerick Prison is progressing well and is expected to be completed and operational in 2022. It too is designed and focused on the principle of rehabilitation and normalisation.

There is a commitment to commence a review of the Civil Legal Aid Scheme this year. It is expected that the review will map out a future for the Civil Legal Aid Scheme which will provide for a flexible service that has, as far as possible, the capacity and resources to respond to the priority legal assistance needs of those of insufficient means. There will be significant consultation to ensure that the insights of those from the non-governmental sector with experience of the Civil Legal Aid Scheme and its clients will be captured by the review.

One of my priorities as Minister for Children, Equality, Disability, Integration and Youth is to ensure that the supports for disadvantaged children are targeted so that there is an equality of outcome for all children in early years services. As you heard earlier, I will publish an action plan and comprehensive payment scheme for survivors of Mother and Baby Home institutions. Internationally, my priority is to continue Ireland’s mission to receive refugees from Lebanon, Syria and the Mediterranean, and to respond as positively as possible to acute global asylum crises, such as Afghanistan.

Work is beginning across Government to develop the successor strategies to the National Strategy for Women and Girls, the National Traveller and Roma Inclusion Strategy and the Migrant Integration Strategy, which have been in place since 2017. You have already heard of my personal commitment to advancing key equality and human rights initiatives, such as strengthening Ireland’s equality legislation, introducing domestic violence leave and implementing a fundamental reform of the structures to support persons with capacity difficulties. I confirm that we will maintain and enhance our commitment to addressing equality and human rights issues so that Ireland can truly be a society in which diversity is recognised and opportunity promoted for all.

In closing, on behalf of Ireland, I want to thank you, Madam President, and delegations from Member and Observer States for the interest that you have shown in our peer review process. We have aimed to address the issues raised within the time available, and while adhering to the framework of this process. We will consider your recommendations with a positive and open mind- set.

As I have already stated, UPR is an important process for us. We consider it a valuable, and critically important mechanism. Today’s discussion was an important opportunity for Ireland to reflect on our commitment to human rights. We would like to reaffirm our strong record in promoting human rights on a domestic and global level. You heard today from my delegation about the work that Ireland is doing to advance human rights. We are deploying a wide range of strategic initiatives that are aimed at making Ireland a fairer country in which to live.

I am proud of the work that we are doing, but as I listened to the comments and recommendations today, I am reminded that there is always scope to do more. In working to strengthen our system further, close cooperation with civil society is a prerequisite. The Irish Government recognises how important it is to engage with the non-governmental sector in policy development. I want to acknowledge the active involvement of civil society throughout the UPR process. I am delighted that many of our civil society organisations contributed to the consultation process through participation in the online consultation or by way of written submission. The Irish Government will work with civil society in addressing the recommendations we have received today.

That brings me to implementation. Ireland’s domestic processes contain robust structures that allow us to assign recommendations to departments for review and follow up. We will return to the recommendations in our formal reply, but what I can say with certainty is that we view the recommendations as an important input for our work on human rights in the future. As we did in preparing for the review, we will consult with civil society organisations, and other interested parties in the follow up process. A dialogue with stakeholders is a pre-condition for ensuring that all of pertinent aspects are addressed. I can also confirm that we will again prepare a voluntary interim report by late 2023 or early 2024.

The human rights landscape is shifting and evolving constantly, with new themes emerging all of the time. My final message to you today is to reiterate Ireland’s firm commitment to promoting and protecting human rights and to developing new responses as new human rights challenges emerge. Ireland will continue to work actively within the Human Rights Council to ensure that global mechanisms for protecting and advancing human rights are strengthened.

Madam Vice President, I will conclude on that. Thank you for handling our review this afternoon so elegantly, under very difficult circumstances. I also want to thank the troika and the Secretariat for their excellent work.

Thank you, Madame Vice President.