



**Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas**
Irish Human Rights and Equality Commission

Charles Flanagan T.D.
Minister for Justice and Equality
Department of Justice and Equality
51 St. Stephen's Green
Dublin 2

1 August 2019

Dear Minister,

The Commission met this morning to consider your correspondence of 17 July to individual members of the Irish Human Rights and Equality Commission (IHREC) regarding their terms of office as members of the Commission, which expire in October 2019.

The UN Paris Principles constitute a set of internationally recognised standards to assess the independence and effectiveness of national human rights institutions. Included in these standards, is an inclusive and transparent selection and appointment process. In addition, the ECRI General Policy Recommendation No. 2 states that persons holding leadership positions in equality bodies should be selected and appointed by transparent, competency-based and participatory procedures.

During a Dáil debate on the matter in February 2018, you indicated that a large number of applications (149) had been received from highly qualified persons for the positions, reflecting the high level of interest that exists in the Commission. This process, you concluded, resulted in a highly competitive selection process as there were many more qualified candidates than available positions on the Commission. During that same debate, you referred to our 'A' status accreditation, underlining the IHREC's domestic and international standing and institutional independence.

Section 13 of the IHREC statute outlines the expected procedure for 'identifying persons and making recommendations to the Government in respect of those persons for appointment as members of the Commission.'

We appreciate that your authority as Minister lies in recommending Commissioners for reappointment to Government and that only following the passing of a resolution of each House of the Oireachtas recommending an appointment, can anyone be appointed by the President.

We also completely respect our colleagues individual right to respond to you as Minister for Justice and Equality.

However, as a Commission, established by the Oireachtas as an independent institution, we wish to also respond separately as a body corporate.

In this regard, the Commission is of the view that it is imperative that government pursue an inclusive and transparent selection and appointment process for the appointment of members of the Irish Human Rights and Equality Commission, as outlined in the Irish Human Rights and Equality Commission Act 2014, and in compliance with international best practice.

Yours sincerely,

The Commission
Irish Human Rights and Equality Commission