



Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas

Irish Human Rights and Equality Commission

*Sent by post and email*

Taoiseach Leo Varadkar T.D.  
Department of the Taoiseach  
Government Buildings  
Upper Merrion Street  
Dublin 2

25 March 2020

A Thaoisigh,

This letter is on behalf of the Irish Human Rights and Equality Commission in recognition of the unprecedented public health emergency caused by the Covid-19 pandemic. As you will be aware, the Commission has a statutory mandate to protect and promote human rights and equality in Ireland.

At this moment of extraordinary challenge, and extraordinary vulnerability for so many, it remains essential, and is in the public interest, that human rights and equality norms are upheld to the greatest extent possible. This will determine the quality of our democracy and our society not just during this crisis, but in the aftermath.

The Commission recognises that it can be necessary to take exceptional measures such as the *Health (Preservation and Protection and other measures in the Public Interest) Act 2020*, in order to safeguard the health of the community, and the lives of individuals. However, such emergency measures have the potential to curtail fundamental rights and freedoms. It is important, therefore, that such restrictions must be necessary, proportionate, and non-discriminatory, and that human rights and equality principles inform their implementation.

The *Health (Preservation and Protection and other measures in the Public Interest) Act 2020* envisages the making of Regulations by the Minister to operationalise these significant powers. The Commission is of the view that the content of these Regulations will be crucial in ensuring clarity and transparency, and compliance with human rights standards in the operation of the Act. The Irish Human Rights and Equality Commission is both willing and ready to provide advice and/or guidance to Ministers, the Department of Health, and any other Government department or agency as required, regarding the content of these Regulations.

The Irish Human Rights and Equality Commission will continue to fulfil its mandate during this period of national emergency, in the service of the public, the Oireachtas, Government and its agencies, in a way that seeks to maximise the ongoing respect for, and protection, of rights, while recognising the extraordinary and challenging times in which our nation finds itself.

Is mise le meas,

A handwritten signature in black ink, appearing to read 'C. Fennell', written in a cursive style.

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Professor Caroline Fennell  
Acting Chief Commissioner