

# Policy Statement on a Just Transition

Irish Human Rights and Equality Commission

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

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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

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## Recommendations

- 1. The Commission recommends that the Government establish the Just Transition Commission as a matter of priority and that human rights and equality are explicitly included in its mandate, regarding the functions, expertise and diversity in its governing body and staff.**
- 2. The Commission recommends that the Government ensures complementarity across economic, social, climate and infrastructural policy and strategy, nationally and locally, in the context of a Just Transition, working in partnership to reinforce policy goals and reduce unintended negative consequences.**
- 3. In progressing Just Transition, the Commission recommends that the Government takes active targeted measures to support structurally vulnerable groups and guard against maladaptation in the design, monitoring, review, and evaluation of Just Transition in Ireland, whilst adopting both intersectional and intergenerational perspectives.**
- 4. The Commission recommends that the Government considers climate change vulnerability assessments, with a focus on economic and geographic vulnerability, in the adaptation planning process.**
- 5. The Commission recommends that the Government gives due regard to the situation of climate refugees, and the need for support through relocation and resettlement, and proactive asylum planning for Ireland.**
- 6. The Commission recommends that the Government place greater emphasis on evidence-informed targeted measures in tandem with one-off measures, to forestall the impact of the energy poverty on structurally vulnerable households.**
- 7. The Commission recommends ongoing engagement with workers and stakeholders, and highlights that participation and social dialogue are critical approaches to addressing the employment vulnerability associated with the Just Transition.**
- 8. The Commission recommends that the Government enhances participation by prioritising community development in affected areas, including through funding, supporting alternative and sustainable employment opportunities and training and development.**

- 9. The Commission recommends that the Just Transition Commission has research and data included in its mandate and has a strategic focus on structurally vulnerable groups.**
- 10. The Commission recommends that programmes and targeted interventions are subject to systematic monitoring, review, evaluation and reform, including against international evidence and best practice, and that data and reports are published in a timely and accessible way for use and scrutiny by civil society organisations, independent researchers and public bodies.**
- 11. The Commission recommends that the Government take active measures to progress a successor National Action Plan on Business and Human Rights, with a particular focus on human rights due diligence and governance, in line with international obligations.**
- 12. The Commission recommends that the Just Transition Commission, through its mandate, ensures the accountability of business and enterprise in line with international standards, while also ensuring resilience in sectors affected by the move to a carbon-neutral economy.**
- 13. The Commission recommends that the Government ensures the Digital Ireland Framework and Climate Action Plan operate in tandem to ensure meaningful participation in policy design, monitoring and review by all structurally vulnerable groups. This includes Government prioritisation of targeted offline non-digital mechanisms for consultation, including at community level.**
- 14. The Commission recommends that the Just Transition Commission's mandate includes express commitments to robust oversight, governance, reporting, transparency and accountability.**
- 15. The Commission recommends that the State prioritises Just Transition resources to advance human rights and equality and promote the Public Sector Duty, with a focus on structurally vulnerable groups.**

## Abbreviations

AI	Artificial Intelligence
BER	Building Energy Rating
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Central Statistics Office
DGA	Data Governance Act
EIGI	European Institute for Gender Equality
ESRI	Economic and Social Research Institute
EU	European Union
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICTU	Irish Congress of Trade Unions
IHREC	Irish Human Rights and Equality Commission
ILO	International Labour Organisation
NDCA	National Climate Action Dialogue
NDP	National Development Plan
SDG	Sustainable Development Goal
SME	Small and Medium Enterprise
TASC	Think-tank for Action on Social Change
UN	United Nations
UNECE	United Nations Economic Commission for Europe
UNHCR	United Nations High Commissioner for Refugees

## Introduction

The Irish Human Rights and Equality Commission ('the Commission') is both the national human rights institution and the national equality body for Ireland, established under the Irish Human Rights and Equality Commission Act 2014 (the '2014 Act'). In accordance with our founding legislation, we are mandated to keep under review the adequacy and effectiveness of law and practice in the State relating to the protection of human rights and equality and to examine any legislative proposal and report its views on any implications for human rights or, equality.<sup>1</sup>

Our *Strategy Statement 2022-2024* has prioritised "a just transition to a sustainable economic future", improving "protection of the poorest and those experiencing vulnerability", access to justice and enhancing the role and enforcement of the Public Sector Equality and Human Rights Duty ('Public Sector Duty') in the conduct of public bodies and in the execution of their functions.<sup>2</sup> Human rights and equality are critical to the achievement of Just Transition and climate change action. We call on the Government to prioritise resources to advance rights in Ireland and to provide leadership internationally to ensure that "no person and no place shall be left behind."<sup>3</sup>

## Climate change, climate action and Just Transition

Just Transition is a vision-led, unifying set of principles, processes, and practices that build economic and political power to address climate change in a way that is just and equitable.<sup>4</sup> The EU Just Transition Mechanism is a key tool to ensure that the transition towards a climate-neutral economy happens in a fair way, leaving no one and no place behind.<sup>5</sup> It provides targeted support to help mobilise approximately €55 billion over the period 2021-2027 in the most affected regions, to alleviate the socio-economic impact of the transition.<sup>6</sup>

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<sup>1</sup> Section 10(2)(c) of the Irish Human Rights and Equality Commission Act 2014.

<sup>2</sup> See Strategic Priority 1: Economic Equality, which sets out the objective of improving "protection of the poorest and those experiencing vulnerability". The principles of a Just Transition align with the human rights and equality focus of Strategic Priority 2: Justice. See: Irish Human Rights and Equality Commission, [Strategy Statement 2022 -2024](#), (2022). See further information on the Public Sector Equality and Human Rights Duty: Irish Human Rights and Equality Commission, [Implementing the Public Sector Equality and Human Rights Duty](#), (2019) and <https://www.ihrec.ie/our-work/public-sector-duty/>.

<sup>3</sup> European Commission, [A European Green Deal](#), (2020).

<sup>4</sup> Climate Justice Alliance, [Just Transition: A Framework for Change](#), (2022).

<sup>5</sup> See: European Commission, [A European Green Deal](#), (2023).

<sup>6</sup> European Commission, [The Just Transition Mechanism Tool: Making Sure No One is Left Behind](#), (2022).

Climate change poses an immediate threat to the protection and enjoyment of human rights<sup>7</sup> and equality<sup>8</sup> both in Ireland and abroad. Nature is declining at an unprecedented rate, greenhouse gas emissions have doubled and global temperatures continue to rise.<sup>9</sup> As much as 85% of Ireland's energy needs are met by fossil fuels<sup>10</sup> and Ireland remains a low performer in climate rankings.<sup>11</sup>

Climate action involves mitigating climate change (helping to cut greenhouse gas emissions); adapting to the impact of climate change by building resilience to phenomena such as flooding, droughts and other extreme weather events; and contributing to understanding the causes of climate change by a range of actions and measures, including policy development.<sup>12</sup>

Climate justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable people.<sup>13</sup> Climate justice must take into account social inequalities.<sup>14</sup>

The carbon-neutral and green transition is happening in parallel to a digital transition<sup>15</sup>, resulting in an industrial revolution of unprecedented speed,<sup>16</sup> with significant impacts for society and the economy.<sup>17</sup> As these transitions progress in tandem and interact, both require careful planning.

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<sup>7</sup> In our 2022 Annual Poll, 61% of respondents agreed that climate change is a human rights issue. See: Irish Human Rights and Equality Commission, [Annual Poll 2022](#), (2022).

<sup>8</sup> See: Equinet, 2023 Work Plan, (2022), p. 7.

<sup>9</sup> Friends of the Earth, Available at: <https://www.foe.ie/about/>

<sup>10</sup> Environmental Research Institute, [The Russian energy crisis and Ireland's reliance on fossil fuels](#), (2022).

<sup>11</sup> Climate Change Performance Index, Available at: <https://ccpi.org/>

<sup>12</sup> European Commission, [Climate Action and Sustainable Development](#), (2022).

<sup>13</sup> Mary Robinson Foundation, [Principles of Climate Justice](#), (2011).

<sup>14</sup> In Irish Human Rights and Equality Commission's 2022 Annual Poll, 74% of respondents agreed that response to climate change must take into account social inequalities. Irish Human Rights and Equality Commission, [Annual Poll 2022](#), (2022).

<sup>15</sup> Eurofound, [Just Transition](#), (2022).

<sup>16</sup> European Parliament Think Tank, [Economic Impacts of Green Transition](#), (2022)

<sup>17</sup> Climate change will disrupt the natural, economic and social systems we depend on, affecting food supplies and the biosphere, supply chains, and infrastructure. Climate action will also have broad social and economic impacts, including labour market change and employment vulnerability. The digital transition represents another key disruptor and driver of change, bringing with it both opportunities and challenges, including labour market transformation and potential displacement of workers through automation and artificial intelligence (AI). See: European Parliament, [Digitalisation and changes in the world of work: Literature Review](#), (2022). Department for Business, Energy and Industrial Strategy, [The Potential Impact of Artificial Intelligence on UK Employment and the Demand for Skills](#), (2021). Grantham Institute, [What are the Impacts of Climate Change?](#), (n.d).



## Policy framework

There is a strong policy framework internationally to oblige, drive and assist Ireland in ensuring that action on climate change protects and realises the enjoyment of human rights and equality. Significant international and domestic funding is being invested in addressing climate change, including ensuring a Just Transition. We call on the State to ensure that this policy framework is fully and ambitiously implemented in Ireland and that funding achieves the advancement of human rights and equality.

The 2015 United Nations Framework Convention on Climate Change, ('the Paris Agreement')<sup>18</sup> marked the first global and legally-binding climate deal. With a human-rights focus,<sup>19</sup> the Paris Agreement places a positive obligation on State Parties to take into account:

“the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities.”<sup>20</sup>

Other human rights frameworks affording related protections include the Convention on the Rights of Persons with Disabilities,<sup>21</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>22</sup> and the International Covenant on Civil and Political Rights.<sup>23</sup>

The 2030 Agenda for Sustainable Development, provides a complementary, rights-based approach that recognises that global initiatives to combat poverty and social deprivation must operate in tandem with strategies that improve health and education, reduce inequality, and foster economic growth. Climate action lies at the heart of the Sustainable Development Goals, ('SDG's') including SDG 7 (affordable and clean energy), SDG 8 (decent work and economic growth), SDG 9 (industry,

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<sup>18</sup> United Nations Framework Convention on Climate Change, [Adoption of the Paris Agreement](#), 21st Conference of the Parties, Paris: United Nations: p. 1. It was adopted by 195 countries in 2015, including Ireland.

<sup>19</sup> Office of the United Nations High Commissioner for Human Rights, [Integrating Human Rights at the UNFCCC](#), (2022).

<sup>20</sup> United Nations Framework Convention on Climate Change, [Adoption of the Paris Agreement](#), 21st Conference of the Parties, Paris: United Nations.

<sup>21</sup> CRPD Article 2 obliges the State to take account of the disability, and make accommodations. CRPD Article 11 obliges the State to ensure the protection and safety of persons with disabilities in situations of risk, humanitarian emergencies and the occurrence of natural disasters.

them by, See: United Nations, [Convention on the Rights of Persons with Disabilities](#), 2006.

<sup>22</sup> Article 15 of ICESCR states that everyone has the right to enjoy the benefits of science and its applications. See: United Nations, [International Covenant on Economic, Social and Cultural Rights](#), (1966).

<sup>23</sup> Article 25 of ICCPR defines the obligations of States in connection with the right to participate in the conduct of public affairs. See: United Nations, [International Covenant on Civil and Political Rights](#), (1966).

innovation, and infrastructure) and SDG 13 (climate action).<sup>24</sup> The International Labour Organisation ('ILO'), has published guidelines towards environmentally sustainable economies for all, with an emphasis on international cooperation, social dialogue, labour rights, social protection and gender.<sup>25</sup>

Through the European Green Deal, Member States have committed to ensuring a Just Transition,<sup>26</sup> in order to transform the EU into a modern, resource-efficient and competitive economy, with no net emissions of greenhouse gases by 2050.<sup>27</sup>

The Green Deal further underscores that:

“no person and no place shall be left behind.”<sup>28</sup>

The EU Just Transition Fund continues to support regions within the EU that are most affected by the transition to climate neutrality by enabling economic development and diversification and helping people adapt to a changing labour market. We welcome the programme of investment up to €169 million announced under the Just Transition Fund for Ireland.<sup>29</sup> It is vital that this investment advances human rights and equality in Ireland including active measures to guard against maladaptation and to provide targeted support for structurally vulnerable groups.

Ireland's Climate Action Plan 2023<sup>30</sup> builds on the previous action plans<sup>31</sup> and sets out actions to accelerate the response to the climate crisis, with a focus on renewable energy, retrofitting and

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<sup>24</sup> United Nations, [Transforming our World: the 2030 Agenda for Sustainable Development](#); Publisher, United Nations General Assembly; Publication Date, (2015).

<sup>25</sup> International Labour Organisation, [Guidelines for a just transition towards environmentally sustainable economies and societies for all](#), (2015).

<sup>26</sup> European Commission, [A European Green Deal](#), (2020).

<sup>27</sup> Ireland has committed to this 2050 target with the enactment of the Climate Action and Low Carbon Development (Amendment) Act 2021. See Section 3 of the [Climate Action and Low Carbon Development Act 2015](#), as amended by Section 5 of the [Climate Action and Low Carbon Development \(Amendment\) Act 2021](#).

<sup>28</sup> European Commission, [A European Green Deal](#), (2020).

<sup>29</sup> See: Department of the Environment, Climate and Communications, [Minister Ryan welcomes EU approval for €169 million Just Transition fund for the Midlands](#), 2022; Department of the Environment, Climate and Communications, [Draft Territorial Just Transition Plan](#), 2021.

<sup>30</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#) (2022), p.68.

<sup>31</sup> Climate Action Plan 2021 set out a plan to meet European and international targets and to put Ireland on a sustainable path towards reducing emissions, as well as to create a cleaner, greener economy and society. The 2021 Plan identified specific actions aimed at reducing dependence on fossil fuels, investing in new areas including wind energy, improving public transport, supporting the rollout of electric vehicles and retrofitting schemes. See: Department of the Environment, Climate and Communications, [Climate Action Plan 2021](#), (2021).

transportation. The Action Plan commits to mainstreaming a Just Transition framework<sup>32</sup> across climate-action policy-making and delivery, and repeats the previous commitment to establish a Just Transition Commission.

We welcome the Just Transition Framework principles, including that:

“costs are shared so that the impact is equitable and existing inequalities are not exacerbated.”<sup>33</sup>

We further welcome the key message of championing a human rights-based approach but note with concern that this is limited to global climate action commitments.<sup>34</sup> A human rights and equality based approach must be fundamental to domestic climate action too.

We further acknowledge the principles set out in Ireland’s International Climate Finance Roadmap, including adopting a human rights-based approach to ensure an equitable transition to a carbon neutral economy.<sup>35</sup> We note commitments to climate action mitigation measures through the National Development Plan 2021-2030.<sup>36</sup> Notwithstanding, we note with concern the lack of an express focus on equality and human rights in the context of State infrastructure policy and strategy. We call on the State to realise Public Sector Duty obligations, by retrospectively building human rights and equality into review and reform processes, and by systematically embedding human rights and equality in the implementation of policies and programmes.

We note that Ireland’s National Just Transition Fund<sup>37</sup> was made available to support communities transitioning to a carbon-neutral economy, with a focus on the Midlands region.<sup>38</sup> We welcome the Programme for Government commitment to establish a statutory Just Transition

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<sup>32</sup> The Just Transition Framework identifies four principles; an integrated, structured and evidence-based approach; equipping people with the right skills; equitable sharing of costs, and social dialogue. See Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), 2022, p. 70.

<sup>33</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), 2022, p. 70.

<sup>34</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2022), p.261.

<sup>35</sup> Government of Ireland, [Ireland’s International Climate Finance Roadmap 2022](#), (2022), p. 2.

<sup>36</sup> We note that the NDP identifies economic benefit of investment, including the potential impact on inequality. In the context of climate action, the Plan seeks to balance targets with supports, having regard to equality. See: Government of Ireland, [National Development Plan 2021-2030](#). 2021. p.120

<sup>37</sup> Department of the Environment, Climate and Communications, [National Just Transition Fund](#), (2022).

<sup>38</sup> We note that the appointment of the Just Transition Commissioner Kieran Mulvey in 2019 to engage with relevant stakeholders in the Midlands, an area particularly vulnerable in the context of Ireland’s transition to a carbon neutral economy. While the Just Transition Commissioner has submitted a number of annual progress reports since his appointment in 2019, we note that his mandate has expired. See Mulvey, K., Just Transition: Final Progress Report, (2021).

Commission<sup>39</sup> but regret the ongoing delays in its establishment. As the climate action policy response accelerates, it is of critical importance that the State, in tandem, accelerates plans to establish the Just Transition Commission. The Just Transition Commission will play a central role in identifying and addressing maladaptation and the potential negative impact of policy and strategy on structurally vulnerable groups. We urge the State to prioritise its establishment.

We welcome actions aimed at a Just Transition in Irish policy and national strategies including:

- The Roadmap for Social Inclusion 2020-2025;<sup>40</sup>
- Housing for All - a New Housing Plan for Ireland;<sup>41</sup>
- The Pathways to Work Strategy 2021-2025;<sup>42</sup> and
- The Strategy to Combat Energy Poverty.<sup>43</sup>

In keeping with the commitment in the Climate Action Plan 2023 for Departments to consider their climate policy development and implementation against the Just Transition Framework,<sup>44</sup> the Just Transition should be addressed across national equality strategies. All equality policy and strategy should be developed, reviewed and implemented against the Just Transition Framework.<sup>45</sup> Concurrently, in strengthening the policy framework, it is also critical that human

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<sup>39</sup> See also The Just Transition Alliance including the Irish Congress of Trade Unions, SIPTU, Fórsa, Friends of the Earth, Stop Climate Chaos, and TASC has called for the establishment of a Just Transition Commission. See: ICTU, [Call for a Just Transition Commission](#), (2022).

<sup>40</sup> Department of Social Protection, [Roadmap for Social Inclusion 2020-2025](#), (2020) The Roadmap includes actions aimed at reducing energy poverty.

<sup>41</sup> Department of Housing, Local Government and Heritage, [Housing for All: a New Housing Plan for Ireland](#), (2021). The Plan includes energy efficiency, waste and retrofitting initiatives.

<sup>42</sup> Department of Social Protection, [The Pathways to Work Strategy 2021-2025](#), (2021). The Strategy includes among its priorities engaging with and supporting those who are at risk of economic displacement as a result of decarbonisation.

<sup>43</sup> Department of the Environment, Climate and Communications, [Strategy to Combat Energy Poverty](#), (2021). The Strategy expands the reach of existing energy efficiency schemes and commits the government to measures to find more effective ways to focus energy efficiency efforts on those most at risk of energy poverty.

<sup>44</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2022), p.71.

<sup>45</sup> This could be addressed during term reviews or updates to strategies. Relevant strategies include: Examples include: Government of Ireland, [Comprehensive Employment Strategies for Persons with Disabilities](#), (2015); Department of Justice and Equality, [National Strategy for Women and Girls 2017-2020](#), (2017). In addition, a National Equality Data Strategy is being developed by the Central Statistics Office and the Department of Children, Equality, Disability, Integration and Youth and will put in place a strategic approach to improving the collection, use and dissemination of equality data, on foot of an Equality Data Audit undertaken by the CSO in 2020. Further, publication of the National Action Plan Against Racism is anticipated in early 2023.

rights and equality are directly embedded in Just Transition policy development, implementation and reform.

This represents a critical juncture for the State to advance human rights and equality, and promote and enforce the Public Sector Duty.<sup>46</sup> The approach must be ambitious, incorporating metrics<sup>47</sup>, monitoring, evaluation, review and reform; ensuring that EU and national investments are prioritised to advance human rights and equality, futureproofing the policy framework. In adopting a rights-based approach, it is also essential that the State implements the Just Transition in a non-discriminatory manner, taking into account the needs of structurally vulnerable groups, including those living in poverty, older people, disabled people, women, and minority ethnic people.

Realising a Just Transition requires complementarity across national and local Government policy and strategy, having due regard to the human rights and equality of structurally vulnerable groups. Local authorities have important responsibility within their mandates to ensure Just Transition and broader climate change actions are implemented ambitiously and effectively to impact human rights and equality in their areas so that ‘no person and no place shall be left behind’.

We note the commitments in Climate Action Plan 2023 to target populations impacted by the transition to a carbon neutral society.<sup>48</sup> However we regret the lack of explicit reference to structurally vulnerable groups in the Climate Action Plan 2023,<sup>49</sup> including disabled people and Travellers. The approach to implementation must be targeted, at national and local levels, to address inequality and to provide support to those more likely to be disadvantaged by the Just Transition.

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<sup>46</sup> See: Irish Human Rights and Equality Commission, [Implementing the Public Sector Equality and Human Rights Duty](#), (2019).

<sup>47</sup> These could be incorporated through existing mechanisms such as Equality Budgeting. See Department of Public Expenditure and Reform, [Equality Budgeting](#). Further consideration could be given to the application of human rights impact assessments to climate policy, in the context of the Just Transition. See Office of the High Commissioner on Human Rights, [Guiding Principles on Human Rights Impact Assessment of Economic Reforms](#), (2020).

<sup>48</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2022), p. 98.

<sup>49</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2022)

**The Commission recommends that the Government establish the Just Transition Commission as a matter of priority, and that human rights and equality are explicitly included in its mandate, regarding the functions, expertise and diversity in its governing body and staff.**

**The Commission recommends that the Government ensures complementarity across economic, social, climate and infrastructural policy and strategy, nationally and locally, in the context of a Just Transition, working in partnership to reinforce policy goals and reduce unintended negative consequences.**

**In progressing Just Transition, the Commission recommends that the Government takes active targeted measures to support structurally vulnerable groups and guard against maladaptation, in the design, monitoring, review, and evaluation of Just Transition in Ireland, whilst adopting both intersectional and intergenerational perspectives.**

## Socio-economic rights

While climate change impacts the global population, those who are socially, economically, politically, institutionally or otherwise marginalised are especially structurally vulnerable to climate change, and also to some adaptation and mitigation responses.<sup>50,51</sup> In addition to the impact of climate change, climate action policy has the potential to exacerbate existing structural vulnerabilities. In ensuring a Just Transition for all, it is essential that Ireland adopts a rights-based framework to protect and vindicate socio-economic rights in line with available resources.

### Climate change vulnerability

Climate change disproportionately affects structurally vulnerable groups, including those who may live in areas exposed to climate events or are vulnerable due to the changes brought about by global warming, and who often lack the resources needed to help them adapt. The stark consequences of climate change include desertification, associated sea level rise, severe weather events, and damaging impacts on global agriculture.<sup>52</sup> We note that disabled people are among those most adversely effected in emergencies, compounded for those with multiple structural vulnerability factors, including women and girls with disabilities.<sup>53</sup>

Climate change will also affect the production and consumption of food, impacting food security globally, and worsening economic vulnerability. The impact will be felt across society, with structurally vulnerable groups especially exposed. The agriculture sector in Ireland was directly responsible for 37.5% of national Greenhouse Gases emissions in 2021, driven by a number of factors, including large livestock numbers. These emissions are set to increase.<sup>54</sup> In addition, while Ireland is a very large net exporter of agricultural commodities, it is a net importer of many other foods.<sup>55</sup> It is noted that some countries currently supplying Ireland with food can expect to experience diminishing levels of precipitation, with the potential considerable impact on crop

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<sup>50</sup>United Nations Framework Convention on Climate Change, [Considerations regarding vulnerable groups, communities and ecosystems in the context of the national adaptation plans](#), (2018): p. 4.

<sup>51</sup> UN Intergovernmental Panel on Climate Change (IPCC), [Climate Change 2022: Impacts, Adaptation and Vulnerability](#), 2022.

<sup>52</sup> The Sustainability Institute, [Can Ireland Feed Itself?](#), (2019), p.4

<sup>53</sup> United Nations, [The impact of climate change on the rights of persons with disabilities](#), (n.d).

<sup>54</sup> Environmental Protection Agency (EPA), [Agriculture](#), (2022).

<sup>55</sup> Teagasc, [Safety Net: Food Security in Ireland](#), (June, 2022).

production.<sup>56</sup> We welcome the commitments to delivering food security in the Climate Action Plan 2023, including references to food availability and food affordability,<sup>57</sup> and commitments in Food Vision 2030.<sup>58</sup> We also note commitments to incentivise voluntary livestock reductions, with a focus on diversification options for livestock farmers.<sup>59</sup>

While critical to climate action, the restructuring of agricultural practices, along with the impact of severe weather events, mechanisation and automation, carries challenges for the farming sector and rural Ireland. The overall average family farm income is considerably lower than the median household income for Ireland.<sup>60</sup> Farmers are also often heavily reliant on direct payments.<sup>61</sup> Further, family farming and related seasonal work is heavily reliant on the unpaid and paid work of women, with incomes often supporting loss-making farms. The loss of this seasonal work may have an added impact on women that merits further consideration.<sup>62</sup>

We also highlight the geographic vulnerability associated with climate change. Refugees and otherwise internally displaced people are also often on the frontline of the climate crisis.<sup>63</sup> In addition, those forced to leave their homes due to severe climate events, often referred to as 'climate refugees',<sup>64</sup> are required to rebuild their lives entirely in other places.<sup>65</sup> Some cohorts, including people below the poverty line and disabled people, are also more likely to become climate refugees.<sup>66</sup> While not endorsed as a specific term by the UN High Commissioner on Refugees (UNHCR) and therefore not afforded equivalent protection, the situation of those often referred to as 'climate refugees' has been addressed by the UN through the Global Compact on

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<sup>56</sup> The Sustainability Institute, [Can Ireland Feed Itself?](#), (2019), p.5.

<sup>57</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2023), p.218

<sup>58</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2023), p.221; Department of Agriculture, Food and Marine, [Food Vision 2030: A World Leader in Sustainable Food Systems](#), 2021.

<sup>59</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2023), p.215

<sup>60</sup> The average family farm in 2021 was just over €34,300. The median household income for 2021 was €46,471. See: Teagasc, [Farm Incomes up in 2021 due to higher output prices](#), (2022). See: Government of Ireland, [Understanding Life in Ireland: The Well-being Dashboard 2022](#), (2022).

<sup>61</sup> Central Bank of Ireland, [Economic Letter: New Risks and Old Problems: The Uncertain Outlook for Irish Agriculture](#), (2019)

<sup>62</sup> See Byrne, A., Duvvury, N., Macken-Walsh, Á., and Watson, T. [Gender, Power and Property: "In my own right", The Rural Economy Development Programme \(REDP\) Working Paper Series](#), (2013).

<sup>63</sup> United Nations Refugee Agency, [Climate change and disaster displacement](#), (2023).

<sup>64</sup> See later point that this term is not explicitly acknowledged by the UN.

<sup>65</sup> Berchin, Issa Ibrahim, et al. "Climate change and forced migrations: An effort towards recognizing climate refugees." *Geoforum* 84 (2017): 147-150.

<sup>66</sup> See: United Nations Refugee Agency, [Disability, Displacement and Climate Change](#), (April, 2021).



Refugees,<sup>67</sup> affirmed further by the appointment of a Special Advisor on Climate Action by the UNHCR.<sup>68</sup>

**The Commission recommends that the Government considers climate change vulnerability assessments, with a focus on economic and geographic vulnerability, in the adaptation planning process.**

**The Commission recommends that the Government gives due regard to the situation of climate refugees, and the need for support through relocation and resettlement, and proactive asylum planning for Ireland.**

### Housing and energy poverty

A rights-based approach is especially important in the context of high levels of energy poverty and increasing energy costs in Ireland. Evidence demonstrates that those experiencing poverty are more likely to live in homes with low energy ratings, and are consequently more likely to rely on fossil fuels.<sup>69</sup> Lower-rated homes have both higher emissions and higher fuel costs. Approximately 44.5% of rental properties in Ireland had a BER rating of D or lower in 2021.<sup>70</sup>

In addition, upfront costs associated with accessing sustainable energy grants can act as a barrier for those on low incomes.<sup>71</sup> Recent energy inflation has increased the estimated share of households in energy poverty in the State to 29%.<sup>72</sup> The ESRI estimated that as little as a 1% increase in fuel prices would drive more households into poverty.<sup>73</sup> While we welcome the budget measures designed to address rising energy costs, including the energy the enhanced electricity credit<sup>74</sup>, the universal design is neither means tested, nor targeted. While noting that lump-sum

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<sup>67</sup> United Nations, [Global Compact on Refugees](#), (2018). World Economic Forum, [The Climate Crisis Disproportionately Hits the Poor](#), (2023)

<sup>68</sup> United Nations, [Comment by Andrew Harper, UNHCR's Newly Appointed Special Advisor on Climate Action](#), (2019).

<sup>69</sup> Social Justice Ireland, [Energy poverty and a just transition](#) (2021).

<sup>70</sup> Central Statistics Office, [The Rental Sector in Ireland 2021](#), (2021)

<sup>71</sup> Social Justice Ireland, [Energy Poverty and a Just Transition](#), (2021).

<sup>72</sup> Economic and Social Research Institute, [Energy poverty at highest recorded rate](#), (2022).

<sup>73</sup> Economic and Social Research Institute, [Fuel for poverty: A model for the relationship between income and fuel poverty](#), (2021).

<sup>74</sup> Department of Enterprise, Trade and Employment, [Budget 2023](#), (2022).

transfers are progressive, increases in energy prices and in the amount of energy required to heat a dwelling have a relatively larger negative effect on lower-income households.<sup>75</sup>

These issues fall into stark relief for already structurally vulnerable groups. The majority of homes with a BER of E, F and G are occupied by people aged 60 or older.<sup>76</sup> Those in rural communities are also likely to live in energy inefficient housing.<sup>77</sup> We also know that those most at risk of poverty are individuals not at work due to illness or disability, again more likely to live in less energy efficient housing and experience fuel poverty.<sup>78</sup> In addition, local Authorities in Ireland also have a legacy of underspending allocated Traveller accommodation budgets, contributing to the longstanding issues of substandard accommodation.<sup>79</sup> We know that while having fewer resources, energy costs also tend to be higher for Traveller families, exacerbated for those living on unauthorised sites with little to no energy infrastructure.<sup>80</sup> Research further demonstrates higher levels of energy poverty amongst minority ethnic communities,<sup>81</sup> who are known to face housing discrimination,<sup>82</sup> in turn a barrier to accessing more energy-efficient homes.<sup>83</sup>

Structurally vulnerable groups are also more likely to be reliant on fossil fuels, and consequently at greater risk of the effects of maladaptation. Ireland's growing population of older people<sup>84</sup> is more

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<sup>75</sup> Economic and Social Research Institute, [Fuel for poverty: A model for the relationship between income and fuel poverty](#), (2021).

<sup>76</sup> Age Action, [An Energy Guarantee for Older Persons: Policy Brief](#), (2022).

<sup>77</sup> Central Statistics Office, [Domestic Building Energy Ratings](#), (2022).

<sup>78</sup> According to the CSO, 13.5 percent of the Irish population identify as having a disability. The employment rate for persons with disabilities in Ireland is significantly lower than the general population. See: Central Statistics Office, [Survey on Income and Living Conditions \(SILC\) 2019](#), (2019); Central Statistics Office, [The Wellbeing of the Nation](#), (2017); Central Statistics Office, [Health Disability and Carers](#), (2017).

<sup>79</sup> Oireachtas, [Traveller Accommodation Dáil Debate](#), (2022).

<sup>80</sup> Money Advice and Budgeting Service, [Accommodating Ethnicity: Addressing Energy Poverty Among Travellers Living in Mobile Homes and Trailers: An Exploratory Study](#), (2019).

<sup>81</sup> Reames, T.G. [Targeting energy justice: Exploring spatial, racial/ethnic and socioeconomic disparities in urban residential heating energy efficiency](#), *Energy Policy* 97, 2017, pp. 549-558.

<sup>82</sup> European Commission, [Discrimination against migrants in the Irish housing market](#), (2019).

<sup>83</sup> Sonal, J., Sawyer, S. & Hernández, D. [Energy, poverty, and health in climate change: a comprehensive review of an emerging literature](#), *Frontiers in Public Health* 2019, pp. 357.

<sup>84</sup> The older population (defined as those aged 65 years and over) in Ireland is growing, with over a quarter of those aged 65 years and over living alone. The older population is projected to increase significantly to nearly 1.6 million by 2015. In tandem, the very old population (those aged 80 years of age and over) is set to rise even more dramatically. See: Central Statistics Office, [Population and Labour Force Projections](#), (2017); Central Statistics Office, [An Age Profile of Ireland](#), (2017); Central Statistics Office, [Population and Labour Force Projections](#), (2017).

likely to rely on fossil fuels for home heating<sup>85</sup> and are vulnerable to energy ageism.<sup>86</sup> Rural areas are also disproportionately negatively affected by removing fossil fuel subsidies and increasing carbon tax in Ireland.<sup>87</sup> In addition, poorer rural households face the largest losses from a carbon tax.<sup>88</sup> It is critical that the State safeguard structurally vulnerable groups against energy poverty.

**The Commission recommends that the Government place greater emphasis on evidence-informed targeted measures in tandem with one-off measures, to forestall the impact of the energy poverty on structurally vulnerable households.**

## Employment

Ireland can expect Just Transition to be complex and take time.<sup>89</sup> A challenging but critical element of a Just Transition is addressing employment vulnerability and managing upskilling, reskilling and redeployment of those affected.<sup>90</sup> We note the impact on the Midlands region, in particular.<sup>91</sup> Workers are affected by job substitution, job elimination, job transformation, and by the broader impact of automation.<sup>92</sup> We acknowledge the EU's adoption of Ireland's Territorial Just Transition Plan and the funding secured under the EU Just Transition Fund.<sup>93</sup> We welcome the dedicated commitments in the Climate Action Plan 2023 to address issues in the Midlands region and

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<sup>85</sup> Age Action, [An Energy Guarantee for Older Persons: Policy Brief](#), (2022).

<sup>86</sup> Referred to as energy ageism, it is argued that the process of energy transition can't take place without providing older people with access to new energy and new technologies. See: Age Action, [Ireland Needs a New Energy Poverty Strategy for Climate Justice](#) (2022).

<sup>87</sup> Economic and Social Research Institute, [The Impacts of Removing Fossil Fuel Subsidies and Increasing Carbon Tax in Ireland](#), Research Series 98, (2019).

<sup>88</sup> National Economic and Social Council, [Addressing Employment Vulnerability as Part of a Just Transition in Ireland](#), (2020).

<sup>89</sup> See National Economic and Social Council, [Addressing Employment Vulnerability as Part of a Just Transition in Ireland](#), (2020).

<sup>90</sup> As part of its 'Decent Work Agenda', the ILO identifies four essential pillars for the Just Transition: social dialogue, social protection, rights at work and employment. See ILO, [Guidelines for a just transition towards environmentally sustainable economies and societies for all](#) (2019): p. 4.

<sup>91</sup> Considerable job losses occurred following the decision of Bord Na Móna to cease extraction by 2028, with hundreds more losses anticipated in the coming years. This has been highlighted by the Just Transition Commissioner. Fast-tracked closures in the peat industry raise further concerns over alternative employment opportunities for workers directly employed in the industry, as well as workers employed in industry adjacent enterprise. See Just Transition Commissioner, [Just Transition Progress Report](#), (2020), p. 42.

<sup>92</sup> United Nations, [Just Transition of the Workforce, and the Creation of Decent Work and Quality Jobs](#), (2021).

<sup>93</sup> See: Department of the Environment, Climate and Communications, [Minister Ryan welcomes EU approval for €169 million Just Transition fund for the Midlands](#), 2022; Department of the Environment, Climate and Communications, [Draft Territorial Just Transition Plan](#), 2021.

consider that this will provide valuable learning in realising the requirement that ‘no person and no place shall be left behind’.<sup>94</sup>

Critical to a successful Just Transition is the anticipation of the impacts of climate action on employment, pre-emptive workforce development, the promotion and creation of decent and sustainable jobs, and adequate and sustainable social protection for job losses and displacement.<sup>95</sup> Policy development should have regard to the protection of the conditions and jobs of workers currently employed, potential alternative areas of employment, and the rights of those who wish to voluntarily leave.<sup>96</sup> It is also important that the State reviews skills development policies to ensure they are suitably responsive and adequately support those affected.<sup>97</sup>

Concerns have been raised in relation to the age demographics of workers in the Irish context, and lack of suitable employment opportunities in the Midlands region as a challenge to re-training and upskilling.<sup>98,99</sup> In addition, while the shift towards a carbon-neutral economy has disproportionately affected the Midlands, it will impact all sectors of the Irish economy and society.<sup>100</sup>

In this context, we underline the importance of adopting a human-rights based approach to decent work in implementing the Just Transition in Ireland, having regard to all structurally vulnerable groups.<sup>101</sup> The State’s response should incorporate high-impact targeted funding, with

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<sup>94</sup> The deliverables will include, among others, considerable exchequer investment, funding of 56 regional projects, low carbon investments, rehabilitation of peatlands, and support for bio-economy value chain opportunities. See p.80.

<sup>95</sup> International Labour Organisation, [Guidelines for a just transition towards environmentally sustainable economies and societies for all](#) (2019): p. 5-6; National Economic and Social Council, [Addressing Employment Vulnerability as Part of a Just Transition in Ireland](#), (2020), p.viii.

<sup>96</sup> Just Transition Alliance, [Joint Declaration](#) (2022).

<sup>97</sup> ILO, [Guidelines for a just transition towards environmentally sustainable economies and societies for all](#) (2019): p. 14.

<sup>98</sup> Dáil Éireann debate, [Early Exit from Peat for Electricity Generation: Statements](#), 6 Nov, 2019.

<sup>99</sup> Services Industrial Professional and Technical Union (SIPTU), [There are No Jobs on a Dead Planet: What a Just Transition Means for Workers](#), (2017).

<sup>100</sup> Just Transition Alliance, [Joint Declaration](#) (2022).

<sup>101</sup> Commission-supported research has found evidence that women, lone parents, young people, migrants, ethnic minorities, including Travellers, and disabled persons experience significant barriers in meeting their right to decent work. This analysis, drawing on international human rights standards, monitored decent work across six dimensions: access to work; adequate earnings; employee voice; security and stability of work; equality of opportunity for and treatment in employment; and health and safety. See [Irish Human Rights and Equality Commission/ Economic and Social Research Institute, Monitoring Decent Work in Ireland](#), (2021).

the greatest possible local impact.<sup>102</sup> We highlight the importance of the EU Just Transition Fund mechanism as a means of allocating necessary financial resources for re-training and upskilling in regions and communities vulnerable.

Employment vulnerability in the context of climate action is also more likely to negatively impact already structurally vulnerable groups. Older people are more likely to be employed in carbon-intensive sectors.<sup>103</sup> Foreign-born workers also tend to be employed in lower-paying and polluting sectors, with less access to training or upskilling towards a low-carbon economy.<sup>104</sup> Workers in the most affected territories are also more likely to have lower levels of education; a barrier to redeployment.<sup>105</sup>

We assert that Just Transition investment represents an important opportunity to create the conditions to enhance decent work. We welcome the Government's broader focus on quality, sustainable jobs, less vulnerable to loss, as set out in Future Jobs Ireland, and note the commitments in relation to the transition to a low carbon economy.<sup>106</sup> It is imperative that Just Transition is mutually reflected in related equality policy and strategy.<sup>107</sup>

**The Commission recommends ongoing engagement with workers and stakeholders, and highlights that participation and social dialogue are critical approaches to addressing the employment vulnerability associated with the Just Transition**

**The Commission recommends that the Government enhances participation by prioritising community development in affected areas, including through funding, supporting alternative and sustainable employment opportunities and training and development.**

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<sup>102</sup> National Economic and Social Council, [Addressing Employment Vulnerability as Part of a Just Transition in Ireland](#), (2020), p.viii.

<sup>103</sup> European Trade Union Institute, [Why the EU's patchy 'just transition' framework is not up to meeting its climate ambitions](#), (2022).

<sup>104</sup> Akgüç, M., Arabadjieva, K., & Galgóczi, B., [Why the EU's patchy 'just transition' framework is not up to meeting its climate ambitions](#), (2022)

<sup>105</sup> Aarc, [Report on the Challenges, Needs and Recommended Actions for the Most Affected Territory](#), EU Structural Reform Support Programme Report, (2022); p. 10.

<sup>106</sup> Department of Enterprise, Trade and Employment, [Future Jobs Ireland](#), (2019).

<sup>107</sup> We regret the lack of an up to date Action Plan to implement the Comprehensive Employment Strategy for Persons with Disabilities 2015-2024, and suggests that future plans have regard to the impact of the Just Transition on disabled people.<sup>107</sup> See: Department of Children, Equality, Disability, Integration and Youth, [Comprehensive Employment Strategy for People with Disabilities 2015-2024](#), (2015).



## Research and data

Research and data allow policy-makers and stakeholders to make informed decisions about the transition to a carbon-neutral economy. Robust evidence can help identify vulnerable communities, the challenges they face, and support targeted policies and programmes. Data is also necessary to track and monitor the implementation of policies and programmes. We welcome the call for expert evidence, which informed the Climate Action Plan 2023. We note the research, innovation and commitments in relation to the Just Transition Commission in the Climate Action Plan 2023, including the efforts to build on research through the National Dialogue on Climate Action and the National Climate Conversations, including the Conversations on local Actions.<sup>108</sup> We also welcome the commitment to an integrated, structured, and evidence-based approach to identify and respond to just transition needs as they emerge.<sup>109</sup> We note existing research in this area, including the ESRI's research exploring the distributional impact of increases in carbon taxation.<sup>110</sup>

The approach should be mixed-method, but also targeted, having regard to the need for equality data on structurally vulnerable groups, to develop evidence-informed and effective policy measures.<sup>111</sup> The EU's Equality Data programme, the National Statistics Board's strategic direction on official statistics, and the development of the national Equality Data Strategy are resources for climate action data and research.<sup>112</sup> Further, the EU Data Governance Act (DGA) and the EU Data

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<sup>108</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2023); p.98

<sup>109</sup> Department of the Environment, Climate and Communications, [Climate Action Plan 2023](#), (2023); p.70

<sup>110</sup> See: Economic & Social Research Institute, [The heterogeneous effects of carbon taxation in Ireland](#), (2022).

<sup>111</sup> Key national and regional frameworks offer clear direction to the State and public bodies on collecting and processing equality data, including the National Statistics Board's Strategic Priorities for Official Statistics 2021-2016 and the recently-published EU Guidance Note on the Collection and Use of Equality Data. See: National Statistics Board, [Strategic Priorities for Official Statistics 2021-2016](#), (2021); European Commission, [Guidance Note on the collection and use of equality data based on racial or ethnic origin](#), (2021). European Commission, [Guidelines on Improving the Collection and Use of Equality Data](#), (2018).

<sup>112</sup> EU resources on best practice in equality data infrastructure include: European Commission, [European Handbook on Equality Data](#) (revised 2016); European Commission High Level Group on Non-Discrimination, Equality and Diversity – Subgroup on Equality Data, [Guidelines on improving the collection and use of equality data](#) (2018); European Commission High Level Group on Non-Discrimination, Equality and Diversity – Subgroup on Equality Data, [Guidance note on the collection and use of equality data on racial and ethnic origin](#) (2021); see also forthcoming Guidance note on the collection and use of Sexual Orientation, Gender Identity and Expression, and Sex Characteristics (SOGIESC) data (2023). See webpage: [European Commission - Equality data collection](#). The 2018 EU Equality Data Guidelines emphasise the legal basis for the collection of equality data, including special category data. The EU Equality Data Subgroup – which is chaired by the Fundamental Rights Agency – is a satellite group of the EU High Level Group on Non-Discrimination, Equality and Diversity. IHREC is represented on this group. See National Statistics Board (NSB), [Strategic Priorities for Official Statistics 2021–2026](#) (2021) p. 27.

Act, which will facilitate 'data spaces' provides drivers for the development of equality and human rights data and the creation of data hubs.<sup>113</sup>

Notwithstanding efforts to date, it is critical that ongoing research continues to explore the impact of climate action more broadly, in a socio-economic context and at a household level across structurally vulnerable groups. It is also critical that research honours the voices of structurally vulnerable groups, including those set out above. In addition to future-proofing policy, systematic monitoring, review, evaluation and reform of programmes and targeted measures is critical to a successful and equitable Just Transition.

**The Commission recommends that the Just Transition Commission has research and data included in its mandate and has a strategic focus on structurally vulnerable groups.**

**The Commission recommends that programmes and targeted interventions are subject to systematic monitoring, review, evaluation and reform, including against international evidence and best practice and that data and reports are published in a timely and accessible way for use and scrutiny by civil society organisations, independent researchers and public bodies.**

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<sup>113</sup> See: EU Data Governance Act [EUR-Lex - 52020PC0767 - EN - EUR-Lex \(europa.eu\)](#) and [State of play on the EU Data Act - Ecommerce Europe \(ecommerce-europe.eu\)](#)



## Business and enterprise

While international efforts at addressing climate change focus heavily on the obligations of States, businesses also play a critical role in Just Transition. Effective governance and human rights due diligence is essential if Ireland is to successfully transition to a carbon-neutral economy. We welcome the European Commission's adoption of the proposal for Corporate Sustainability Due Diligence,<sup>114</sup> which aims to require businesses to identify and, where necessary, prevent, end or mitigate adverse impacts of their activities on human rights, including the environment.<sup>115</sup>

We note the recent Programme for Government commitments to revising Ireland's trade and investment strategy, Ireland Connected, to include the promotion of human rights and environmental protection as key goals.<sup>116</sup> We note the launch of the online Climate Toolkit 4 Business to provide SMEs with support in calculating their carbon footprint, including a carbon calculator and template action plan.<sup>117</sup> However, we regret that Ireland's current business and human rights policy framework- the National Action Plan on Business and Human Rights- expired in 2020, and despite review, a new plan has not been advanced.<sup>118</sup>

We acknowledge that the transition to a carbon-neutral economy will also impact business and enterprise, as carbon taxation increases and the peat industry declines. This is exacerbated by the current inflationary pressures and economic uncertainty. It is critical that Just Transition efforts, while holding business and enterprise to account, also ensure that industry in Ireland remains resilient through the move to a carbon-neutral economy.

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<sup>114</sup> The proposal was adopted in February 2022. See: European Commission, [Corporate Sustainability Due Diligence](#) (2022).

<sup>115</sup> Small and medium enterprises (SMEs) are not directly in the scope of this proposal. See European Commission, Just and sustainable economy: [Commission lays down rules for companies to respect human rights and environment in global value chains](#), (2022).

<sup>116</sup> Department of the Taoiseach, [Programme for Government: Our Shared Future](#), (2020), p. 114.

<sup>117</sup> The Climate Toolkit 4 Business was developed jointly by the Department of Enterprise, Trade and Employment and the Department of Environment, Climate and Communications with detailed input from Enterprise Ireland, IDA Ireland, SEAI, the Local Enterprise Offices, Skillnet Ireland, IBEC, Chambers Ireland, Irish Water and others. Further information here: [climatetoolkit4business.gov.ie/about](https://climatetoolkit4business.gov.ie/about)

<sup>118</sup> Department of Foreign Affairs, [National Plan on Business and Human Rights \(2017- 2020\)](#), 2017. Houses of the Oireachtas, [Dáil Debate](#), (February, 2023).

**The Commission recommends that the Government take active measures to progress a successor National Action Plan on Business and Human Rights, with a particular focus on human rights due diligence and governance, in line with international obligations.**

**The Commission recommends that the Just Transition Commission, through its mandate, ensures the accountability of business and enterprise in line with international standards, while also ensuring resilience in sectors affected by the move to a carbon-neutral economy.**

## Participation and accountability

The Office of the High Commissioner for Human Rights ('OHCHR') has outlined key procedural human rights principles that must underline climate action: universality, responsibility, participation, transparency, accountability and responsiveness (to the needs of the people).<sup>119</sup> Participation rights in decision-making are especially important in this regard, and we highlight that Ireland's positive obligations to ensure public participation under the *Aarhus Convention*<sup>120</sup>, which was adopted in 1998 by the United Nations Economic Commission for Europe (UNECE).<sup>121</sup> These obligations apply equally to public authorities as well as bodies performing public administrative functions, including private bodies having public responsibilities in relation to the environment and under the control of public authorities.

Participation in public life and policy consultation is often limited to a system of online consultations, with short response timeframes. Public meetings are only held only in rare cases – even prior to the Pandemic.<sup>122</sup> The National Dialogue on Climate Action (NDCA) was established to fund engagement in climate action at all levels across Ireland, and:

“to engage and empower participation in the Climate Conversations.”<sup>123</sup>

Activities to foster participation have included online surveys, workshops and Public Participation Networks, and that additional activities are being planned as part of the development of the Climate Action Plan 2023.<sup>124</sup> We welcome the efforts to engage at a community level and in-person, and the commitment to a mixed-methods approach. Notwithstanding, we regret that some consultations have been wholly digital in nature,<sup>125</sup> locking the digitally excluded out of important conversations.

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<sup>119</sup> Office of the High Commissioner for Human Rights, Good Governance and Human Rights, (2020).

<https://www.ohchr.org/EN/Issues/Development/GoodGovernance/Pages/GoodGovernanceIndex.aspx>

<sup>120</sup> 'Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters 2161 UNTS 447' (25AD)

<sup>121</sup> Transposed into Irish law through Directive 2003/4/EC on Public Access to Environmental Information, Directive 2003/35/EC on Public Participation in respect of the drawing up of certain plans and programmes relating to the environment and the Environment (Miscellaneous Provisions) Act 2011.

<sup>122</sup> European Commission, [Guidance Note on the Collection and Use of Equality Data based on Racial or Ethnic Origin](#), (2021); European Commission, [Guidelines on Improving the Collection and Use of Equality Data](#), (2018).

<sup>123</sup> DECC, [Climate Conversation 2022](#), (2022).

<sup>124</sup> The consultation process has included a dedicated youth consultation strand, and a community level strand.

<sup>125</sup> Department of the Environment, Climate and Communications, [Climate Conversations 2022](#), 2022.

At a European level, Just Transition takes a broad focus towards a green and digital Europe where no one will be left behind.<sup>126</sup> Among the European Commission's priorities is responding to the impact of digital technology on our lives in a way that is just and fair, as set out in the European Digital Strategy.<sup>127</sup> The European Commission's work includes efforts to address digital skills gaps and support digitalisation.<sup>128</sup>

We note that the digital divide isolates and further marginalises communities who are more likely to experience digital poverty (a lack of reliable access to the internet and technology and of digital skills).<sup>129</sup> Older people,<sup>130</sup> people with literacy difficulties and those living outside urban centres are more likely to experience difficulties in accessing public services online.<sup>131</sup> We note that disabled people are often excluded from societal planning and decision-making.<sup>132</sup> We have previously emphasised the lack of targeted engagement with Travellers in policy-making.<sup>133</sup> We further note that policies and programmes also need to take into account the needs and interests of minority ethnic communities, migrants and refugees.<sup>134</sup> We highlight the need for complementarity with digital policy and the Digital Ireland Framework in this context.<sup>135</sup>

Neither transition exists in isolation. Both represent major changes in the operation of society, with the potential to create new economic opportunity and improve overall quality of life. The rapid pace of technological change, the advancement of clean energy technology and the efficiencies of automation can reduce costs and accelerate the transition to a carbon-neutral economy.<sup>136</sup> As they progress in tandem and interact, both also require significant investment. An

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<sup>126</sup> Eurofound, [Just Transition](#), (2023).

<sup>127</sup> See: Eurofound, [Just Transition](#), (2023). European Commission, [A Europe Fit for the Digital Age](#), (2023)

<sup>128</sup> European Commission, [A Europe Fit for the Digital Age](#), (2023)

<sup>129</sup> Irish Human Rights and Equality Commission, [Submission to the Human Rights Committee on Ireland's fifth periodic report](#)(2022) : p. 84

<sup>130</sup> Older Irish people have much lower levels of digital skills than their counterparts in other EU countries. For example, 33 per cent of Irish people aged 65-74 had never used the internet in 2019. See Age Action, [Digital Inclusion and an Ageing Population](#) (2021): p. 18.

<sup>131</sup> Citizen's Information, [Digital Exclusion and E-government in Ireland](#), (2022): p.28.

<sup>132</sup> International Labour Organisation, [Persons with disabilities in a just transition to a low carbon economy](#), (2019).

<sup>133</sup> It was reported that there was little or no evidence of participation by the Local Traveller Accommodation Consultative Committee (LTACC) or to any consultation with local Travellers or Traveller organisations collected at a Local Authority level to inform IHREC's 2019 equality review. See: Irish Human Rights and Equality Commission, [Opening statement delivered to the Oireachtas Joint-Committee on Key Issues affecting the Traveller Community](#), (2021); Irish Human Rights and Equality Commission, [Equality Reviews](#).

<sup>134</sup> International Labour Organisation, [Frequently Asked Questions on the Just Transition](#), (2022).

<sup>135</sup> Department of the Taoiseach, [Digital Ireland Framework](#), (2022).

<sup>136</sup> National Economic and Social Council (NES), [The Transition to a Low-Carbon and More Digital Future: Supporting the Needs of Vulnerable Workers and Enterprises](#), (2020), Report No. 19.

examination of this transition to a low-carbon and more digital, automated future in the Irish context made a number of recommendations, including the inclusion of social clauses in relevant state transition funding, noting that ensuring funding is targeted at the most vulnerable to transition will require additional policy instruments.<sup>137</sup>

Indeed, the State is in receipt of substantial EU funding for Just Transition policy implementation, programmes and research.<sup>138</sup> The State must be accountable for these funds, and must ensure the necessary resources are provided to those who most need them, safeguarding against inequalities. Accountability will also ensure that the negative impacts of potential maladaptation are identified and mitigated against. Existing inequalities, exacerbated by a cost-of-living crisis and compounded by inflationary pressures<sup>139</sup> speak to broader failures in existing accountability measures and the need for accountability review and renewal. We continue to call on the State to ensure accountability through robust oversight, governance and as set out above, monitoring and review mechanisms.<sup>140</sup>

Transparency is essential to accountability, and we call on the State to ensure that decisions in relation to Just Transition funding are made in an open, fair and participatory manner and are reported in an accessible manner to key stakeholders and the public. Transparency will be essential to building trust and confidence and contribute to the success of policies and programmes.

**The Commission recommends that the Government ensures the Digital Ireland Framework and Climate Action Plan operate in tandem to ensure meaningful participation in policy design, monitoring and review by all structurally vulnerable groups. This includes Government**

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<sup>137</sup> National Economic and Social Council (NESC), [The Transition to a Low-Carbon and More Digital Future: Supporting the Needs of Vulnerable Workers and Enterprises](#), (2020), Report No. 19.

<sup>138</sup> Incorporating national co-financing, the Just Transition Territorial Fund will deliver investments of up to €169 million. See: European Union, [Just Transition Fund](#), (2022); Department of the Environment, Climate and Communications, [EU Just Transition Fund](#), (2023).

<sup>139</sup> See: Economic and Social Research Institute (ESRI) [Despite significant headwinds, Irish economy set to perform in robust manner for remainder of 2022, however pace of growth set to moderate in 2023 as both macroeconomic uncertainty and inflationary pressures persist](#), (October 2022); Economic and Social Research Institute, [Quarterly Economic Forecast Autumn 2022](#), (October, 2022).

<sup>140</sup> Government of Ireland and Irish Human Rights and Equality Commission, [Equality and Human Rights in EU Funds 2021-2027](#), Guidance Tool, (November, 2021).

**prioritisation of targeted offline non-digital mechanisms for consultation, including at community level.**

**The Commission recommends that the Just Transition Commission's mandate includes express commitments to robust oversight, governance, reporting, transparency and accountability.**

**The Commission recommends that the State prioritises Just Transition resources to advance human rights and equality and promote the Public Sector Duty, with a focus on structurally vulnerable groups.**

## Concluding remarks

Climate change poses an immediate threat to the protection and enjoyment of human rights and equality both in Ireland and abroad. In the context of climate action, we endorse a Just Transition that builds economic and political power to address climate change in a way that is just and equitable. We acknowledge the State's efforts, as set out above, to address climate change and to engage with civil society and stakeholders in ensuring a Just Transition. However, we regret that, despite committing to establishing a statutory Just Transition Commission and acceleration in climate action policy, delays persist. We call on the Government to take action to accelerate the establishment of the Just Transition Commission with human rights and equality explicit in its mandate.

Delays to policies and programmes affecting the equality and human rights of structurally vulnerable groups are unacceptable. This is especially true in the context of current economic challenges, the cost-of-living crisis and inflationary pressures. We call for complementarity across Government policy and strategy, an evidence-informed approach, along with systematic reporting, monitoring, review, evaluation and reform in policies and programmes that advance Just Transition. We stress the need for targeted measures to safeguard against worsening inequalities. We highlight the importance of honouring all voices in this process.

This is a critical opportunity for the Government to prioritise important resources to advance human rights and equality in Ireland and to provide leadership internationally.



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