

**IHRC 5th Annual Human Rights Lecture
Tuesday, 28th June 2011**

Opening Remarks

**Dr Maurice Manning, President
Irish Human Rights Commission**

Thank you Katherine.

Tánaiste, Ladies and Gentlemen.

I am delighted to welcome you all here this evening for the Irish Human Rights Commission's 5th Annual Human Rights Lecture. We are honoured this year to have as our guest speaker, Mr Eamon Gilmore T.D., Tánaiste and Minister for Foreign Affairs and Trade. Given the pressure our current Government is working under we are especially grateful that you have taken the time to be with us.

I am also very pleased to see so many of you here this evening and I want to welcome in particular distinguished members of the diplomatic corps, the Oireachtas, the judiciary, the legal profession and civil society.

2011 marks an important anniversary for the Commission. It is 10 years since the legislation to establish the Irish Human Rights Commission was enacted.

The Commission has used virtually all its key powers and functions over the last decade. Fully operational since 2003 we have offered observations on over 40 Bills, appeared 12 times as amicus curiae before the Superior Courts, dealt with nearly 3000 communications as part of our caseload, conducted or commissioned research on a wide range of issues and engaged in promotional and educational work on an increasing scale.

The Commission has also sought to make a contribution on almost all the major societal issues facing Ireland today including the economic crisis, immigration, racism, policing, the criminal justice system, education and minority rights.

Some specifics include the commissioning of a seminal textbook and statement on policing and human rights, the publication of three key enquiry reports (on pensions, on the immigration system and on intellectual disability services) and reports to almost all of the main UN treaty monitoring bodies.

The Commission has engaged actively with the Oireachtas, Government Departments, civil society organizations and the media. In particular the Commission has frequently appeared before parliamentary committees and has had significant interaction with the Departments of Justice and Equality, Foreign Affairs, Defence, Education and Skills and Health.

I was pleased yesterday to launch in Belfast, with the Chief Commissioner of the Northern Ireland Human Rights Commission Monica McWilliams, advice on a Charter of Rights for the island of Ireland. This work was taken forward by the Joint Committee of the two Human Rights Commissions on this island in fulfilment of an obligation mandated under the Belfast (Good Friday) Agreement, to which of course both Commissions owe their origins.

This advice is unlikely to yield immediate effect but in time the development of a charter may emerge if the political parties on the island so desire and if so we feel it would represent an important further embedding of the peace process. As such our release of the advice yesterday should best be understood as a deed of foresight.

I want to take this opportunity to pay tribute to Monica who steps down from her role as Chief Commissioner this August. The two Commissions have enjoyed a

warm relationship and it is fitting that I would salute her leadership and vision at the NIHRC.

Since the Commission began its work, we have strived to fulfil the mandate set forth for us in the Human Rights Commission Act: a mandate that gives expression to the UN Paris Principles which set out the role of national human rights institutions, to whom they should be accountable and what resources they need to meaningfully carry out their duties.

Although we are a *national* institution, our role is also a collective and international one. There is a flourishing international community of national human rights institutions. Currently, there are more than 121NHRIs around the world divided into four regional groups: Africa, America, Asia-Pacific and Europe. National institutions are recognised by the United Nations and other international and regional bodies as key actors in the development of stable, democratic societies based on respect for human rights. Through the network of national institutions we share experience and expertise on the entire range of human rights.

Such co-operation reminds us not only of the important role which the IHRC plays nationally, regionally and internationally, but also the positive view of Ireland which arises from taking a leadership role in human rights. Placing Ireland in such a leadership role in human rights allows us to use our national experience for the benefit of others, it allows us to strengthen and reinforce our own democracy and it reflects positively on the nation as a whole.

The IHRC is highly regarded internationally and chaired the European Group of National Human Rights Institutions between 2006-2011. It is accorded full “A status” i.e. it is recognized as meeting the key criteria of independence and basic capacity regarded by the UN as essential for a credible national human rights institution. It has had extensive engagement with the EU’s Fundamental Rights Agency, the Council of Europe, the Organisation for Security and Cooperation in

Europe (OSCE) and the United Nations and, through Irish Aid support, has provided support to national human rights institutions in the developing world.

Ireland's image has of course been severely dented by recent events relating to our economy. One important means to address this is by emphasising this state's commitment to human rights both in our domestic and foreign policy. While of course the Commission is independent of Government we see ourselves as having the potential to contribute effectively in this context.

Here I am very much aware of the upcoming Irish Chairmanship of the OSCE. I want to underline today that we stand ready to work with the Irish Chairmanship on promoting the establishment and strengthening of human rights institutions in OSCE countries. It is worth noting that increasingly a key indicator of a well functioning democracy is the existence of a well functioning national human rights institution.

However, to be a leader on the world stage requires us to be leaders at home. There is a key link between the domestic and the international, not least through how we perform in respect of the obligations we have voluntarily assumed under international treaties.

In this context Ireland has recently been examined by the United Nations on two key treaties to which it is party – the Convention on the Elimination of Racial Discrimination and the Convention Against Torture. It is vital that Ireland implement the recommendations set out by the UN with the aim of improving the human rights situation in Ireland. A commitment to submitting Ireland's outstanding reports to other UN treaty bodies should also be made.

In this context it is worth emphasising that time and again UN bodies have called for strengthening of Ireland's human rights and equality infrastructure. I am conscious that all state agencies are currently being closely examined for efficiencies – and the Commission has not been an exception in this regard.

However, I am confident that the Commission more than passes muster in this regard. If further changes are made to Ireland's human rights and equality infrastructure, for me two key factors must remain front and square under any revised arrangements.

Firstly the independence that has been the hallmark of the Commission's work must be preserved. NHRIs have a distinct role to play in the life of the nation, as evidenced in the Commission's wide-ranging functions. The crisis currently facing this country clearly illustrates what can happen when the state has insufficient structures for independent oversight; where insufficient robust independent bodies can give frank - and sometimes unwanted - advice to Government. This lesson applies as much to human rights oversight as to economic oversight.

Secondly there must remain a distinct and visible human rights law aspect to oversight in this area. Human rights protections should steadily increase and not be diminished.

Ireland will of course participate in another UN process in October of this year. The State will report on its human rights record under the UN Human Rights Council's Universal Periodic Review. This review is a key opportunity for the Government to reconfirm its commitment to human rights both nationally and internationally.

It seems fitting that I should conclude here on Ireland's interaction with the United Nations, for we have a long history in that regard. Who is more fitting to speak on the leadership role that Ireland has played and can play in promoting and protecting human rights than Mr Eamon Gilmore, Minister for Foreign Affairs.