

Economic, Social and Cultural Rights: Models of Enforcement

Conference Programme

Hogan Stand, Croke Park, Dublin.

Friday 9th and Saturday 10th
December 2005.

IHRC

IRISH HUMAN RIGHTS COMMISSION
AN COIMISIÚN UM CHEARTA DUINE

Economic, Social and Cultural Rights: Models of Enforcement

Programme

Friday, 9th December, 2005

This major conference is part of an initiative undertaken by the Irish Human Rights Commission to further awareness and deepen understanding of economic, social and cultural rights.

The conference will be addressed by leading national and international scholars and advocates.

Conference Objectives:

The aim of the conference is to explore the key concerns surrounding the nature, implementation and enforcement of economic, social and cultural rights.

- It will survey the effectiveness of measures at international, regional and domestic levels to promote and to protect economic, social and cultural rights.
- It will investigate the perception that these rights are aspirational policy goals rather than enforceable rights.
- It will examine the traditional view that economic, social and cultural rights are more properly the subject-matter of political rather than judicial decision-making.
- It will explore opportunities for the realisation of economic, social and cultural rights within existing international and domestic frameworks.

The advancement of economic, social and cultural rights is identified by the Irish Human Rights Commission as a priority area of work in our Strategic Plan 2003-2006. The Commission is currently undertaking research into this area and part of that research work will be discussed at this conference.

Target Audience:

The target audience will be politicians, civil and public servants and agencies, NGOs, members of the judiciary, academics, human rights advocates and others active in the promotion of economic, social and cultural rights.

8.30 – 10.00 Registration

Chair: Dr. Maurice Manning, President, IHRC

10.00 Welcoming Address:
Dr. Maurice Manning, President, Irish Human Rights Commission

10.15 Keynote Address:
Martin Scheinin, Director, Institute for Human Rights, Abo Akademi, University of Finland, Special Rapporteur on Human Rights and Fundamental Freedoms while countering Terrorism and former member of UN Human Rights Committee

10.45 Coffee

11.00 IHRC Discussion Document
– *Models of Enforcement for Economic, Social and Cultural Rights:*
Fionnuala Ni Aolain, member of Irish Human Rights Commission

11.15 Q & A

12.00 – 1.00
ESC Rights as Human Rights
Mara Bustelo, Co-ordinator Human Rights and Economic and Social Issues in UN OHCHR

ESC Rights as Legal Rights
John O'Dowd, School of Law, University College Dublin

12.45 Q & A

1.00 – 2.15 LUNCH

**For further information on the conference, please contact:
The Administrator, IHRC, 4th Floor, Jervis House, Jervis Street, Dublin 1.
Tel: +353 (0)1 8589601 E-mail: info@ihrc.ie
www.ihrc.ie**

Chair: Katherine Zappone, member of the Irish Human Rights Commission

**Saturday 10th December:
International Human Rights Day**

**2.15 – 3.15
Implementation & Enforcement of ESC Rights at the international level**

Collective complaints on economic, social and cultural rights in Council of Europe system
Regis Brillat, Executive Secretary, Social Charter Committee, Council of Europe

Towards a formal complaints procedure – the Optional Protocol
Catarina de Albuquerque, Chairperson-Rapporteur of Working Group to draft the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

3.00 Q & A

3.15 – 3.45 Coffee

**3.45 – 5.30
Implementation & enforcement of ESC Rights at the domestic level**

*South African experience:
Constitutional provisions and monitoring role of South African Human Rights Commission*
Vinodh Jaichand, Centre for International Human Rights Law, National University of Ireland, Galway.

*Canadian experience:
The Canadian Charter of Rights and Freedoms*
Bruce Porter, Director, Social Rights Advocacy Centre (Canada)

*Irish experience:
ESC Rights in Ireland: Judicial & Non-Judicial Information.* **Gerry Whyte**, Law School, Trinity College Dublin

4.45 Q & A

5.30 Close of Day 1

**5.45 Wine Reception in
Players Lounge, Croke Park**

Chair: Dr. Alpha Connelly, Chief Executive, Irish Human Rights Commission

**9.30 a.m.
Realising Economic, Social and Cultural Rights**

Using the UK's Human Rights Act to enforce economic, social and cultural rights
Colm O'Cinneide, Faculty of Laws, University College London

Making Rights Real:
Maggie Beirne, Committee on the Administration of Justice and member of Steering Group of Participation and Practice of Rights Project

11.00 – 11.30 Coffee

11.30 Focus on the right to housing

Implementing the Right to Adequate Housing in the United Nations system
Miloon Kathari, UN Special Rapporteur on Adequate Housing

Soft law and housing rights in the European Union system
Padraic Kenna, Law Faculty NUI Galway and author of "Housing Rights and Human Rights"

Litigation strategies to enforce housing rights
Aoife Nolan, Legal Officer, Centre on Housing Rights and Evictions

1.00 Closing Comments: **Gerard Quinn**, member of Irish Human Rights Commission

1.15 – 2.30 Lunch

A Note From the President of the IHRC



In our Strategic Plan for the period 2003-2006, the Irish Human Rights Commission identified economic, social and cultural rights as one of its key areas of work. To further emphasise the centrality we attach to this area we have chosen to hold this conference on dates coinciding with International Human Rights Day on 10th December.

Traditionally economic, social and cultural rights have occupied a secondary position in human rights discourse both nationally and internationally. The issues arising from economic, social and cultural rights are usually controversial and frequently divisive. We saw this in the recent debate on the Disability Bill. We see too that differences and disagreements are all too often based on misunderstanding or on incomplete understanding of the nature and meaning of economic, social and cultural rights.

It is in this context that the Irish Human Rights Commission is seeking to improve understanding and bring clarity to many of the core issues involved in these rights. We do so against a background of considerable scholarly research into the nature and extent of these rights and wide international experience of the various ways in which they can be realised, implemented and enforced. In addition we will soon be publishing our own on-going research dealing in particular with models of enforcement.

We look forward to hearing the contribution of the leading international and national scholars and advocates who will address you and to the exchange of views which these contributions will generate.

Dr. Maurice Manning
President,
Irish Human Rights Commission

Conference Venue Directions

Croke Park is located on the northside of Dublin and is framed by Jones Road, Clonliffe Road, St. Josephs Avenue and the Royal Canal. The stadium is approximately five minutes drive or 20 minutes walk from O'Connell Street in the city centre and 20 minutes drive from the airport. The conference venue is accessed via the Hogan Stand on Jones Road (opposite Jury's Croke Park Hotel).

By Car

If travelling from the Airport / North, travel down the N1 to the Whitehall Crossroad. Go straight through and follow the road through Drumcondra.

At the end of the Drumcondra Road Lower, turn left onto Clonliffe Road and then right at Jones's Road. Croke Park is on your left.

If travelling from the West of Ireland, follow the N4 straight through to Heuston Station and turn left over Heuston Bridge. There are then two routes you can take:

- 1) Turn right up Arran Quay and continue on straight, taking the left turn at the third bridge just before the Four Courts. Go straight up Church Street until you reach the North Circular Road at Hanlon's Corner, then turn right and continue straight on for approximately 2km.
- 2) Continue up Infirmary Road and turn right at the North Circular Road.

Follow this road for approximately 2km until you reach Russell Street where you turn left and cross the Royal Canal.

If travelling from Cork or Limerick, the N7 from Cork and Limerick will bring you to the Naas Road. Continue along the Naas Road through Inchicore to Heuston Station

From the South of Ireland, come off the N11 make your way to the M50.



Continue straight on to Blanchardstown Crossroad. Turn right and take the Navan Road (N3) at the end. Turn left into Cabra Road (not Old Cabra Road) and go straight until you reach the North Circular Road. Continue on along the road and when you reach Russell Street turn left, cross The Royal Canal and Croke Park is on your right.

Free car parking is available in the Canal Car Park. This is located off the North Circular Road and accessed via St Margaret Avenue (first left after Gills Pub on the corner with Russell Street). There is pedestrian access from the car park onto Jones Road / Russell Street for the main entrance to the Hogan Stand.

By Bus

A public bus from the Airport will take you to Drumcondra Road, 2 minutes walk from the stadium. Alternatively, taxis are the best option for door to door.

If travelling from the city centre, the following bus routes will take you to Drumcondra Road; No's 6, 11, 13, 41.