



**Appearance before Oireachtas Joint Committee on
Justice, Defence and Equality
by Members Designate of the
Irish Human Rights and Equality Commission
22 May 2013**

Chair, Members of the Committee,

I have been asked by my colleagues to provide a brief opening statement to you today on behalf of the Members Designate of the Irish Human Rights and Equality Commission. We are delighted to have been invited to appear before the Committee and we will do our best to respond to any questions that you may have following our opening remarks.

I understand that the Committee would like to be briefed on and to discuss any suggestions and proposals we as Members Designate may have on our future role within the Commission.

This year marks the 15th Anniversary of the Good Friday/Belfast Agreement, which was the catalyst for the deepening and strengthening of the equality and human rights architecture in the State. The challenges facing human rights and equality today are manifold but there are also opportunities which we are keen to see realised during the terms of our mandates.

The current financial crisis and austerity measures have created significant hardship for many people, and raise pressing questions of human rights, justice and equality. As Members Designate of the IHREC, we are acutely aware of the need to ensure that the new equality and human rights infrastructure that is now

being created must effectively promote and vindicate the rights of all persons within the State.

We have no doubt that this will be a challenging task. Both the Equality Authority and the Irish Human Rights Commission have played important roles in the protection of the rights of some of the most vulnerable groups in Irish society. We are determined to build on this work and to ensure that the IHREC will meet its objective of enhancing the protection of human rights, dignity and equality.

We are appearing today as Members Designate of the IHREC, and as members of the IHRC (appointed as of April 16). Our status with regard to the Equality Authority has not yet been resolved, and transitional arrangements in this regard have not been completed. This is a matter of concern for the Members Designate, as there are many challenging tasks facing the Authority, both in terms of its ongoing work and in the context of preparations for a successful merger. We hope that this matter can be properly resolved as soon as possible.

As you will know, the UN Paris Principles emphasize the critical importance of the independence of the selection and appointment process for both Commissioners and senior staff of National Human Rights Institutions (NHRIs). We consider that, to date, the selection committee appointed to oversee the nomination of Commissioners designate has played a crucial role in establishing the credibility of the new body. Concerning the appointment process for the Chief Commissioner, it is our view that a similarly independent and transparent approach should be progressed without delay to ensure that a person of the requisite abilities and qualifications can fill this key role at the earliest opportunity.

Sufficient resources (both in terms of finances and staffing) will be required to properly discharge the wide range of functions afforded to the IHREC, which include the new functions of a) a duty on public bodies to promote human rights and equality and b) promoting social cohesion through the integration of migrants and other minorities and intercultural relations. It will be of the utmost importance that the new Commission will commence its work on a sound financial basis to enable us to fulfil these tasks and to undertake new tasks that may arise, including possible functions under the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol to the UN Committee Against Torture.

We will be working hard to ensure that the new Commission will be accredited as an “A” Status National Human Rights Institution under the UN Paris Principles and that it will remain a strong and active member of Equinet in Europe. To this end, it will be essential to ensure that the Irish Human Rights and Equality Commission Bill will be regarded internationally as a model of best practice and an exemplar of what is required by the UN Paris Principles. We hope that the Bill will be brought forward without delay to enable us to effectively progress our work and the merger process. As a Commission, we will of course engage fully with this legislative process to support its successful progression.

As Members Designate, and as appointed members of the IHRC, we have held two meetings to date and Members are actively engaged in Sub-Committees to progress our work. It may be of interest to the Committee to learn that the new Commission has decided to formally respond to the Inter-Departmental Committee report on the Magdalen Laundries and that to this end we have recently written to Mr Justice Quirke drawing his attention to the human rights and equality issues arising from the IDC report.

We would like to note that as Members Designate of IHREC, we have been very impressed by the constructive and positive engagement by the Executive and staff of both the Equality Authority and the IHRC in the preparations for the merger, and in supporting the Commission in its work to date. We believe that this commitment and professionalism bodes very well for the success of the new Commission’s work and for a successful merger process that will enhance the protection of human rights and equality in our state.

I conclude by thanking the Committee for its attention. We welcome the Oireachtas Committee’s commitment to and interest in the development of a strong robust national human rights institution. My colleagues and I are available to respond to the Committee’s questions as best we can.

Thank you.

Siobhán Mullally

Designated Member