



Sample Template

Universal Periodic Review (UPR) Stakeholder Submissions

Insert Name of Organisation Ireland

Submission to the United Nations
Universal Periodic Review

Twelfth Session of the Working Group on the UPR
Human Rights Council
6th October 2011

EXECUTIVE SUMMARY (Approx. 350 words)

This is an introduction which highlights the main points of the submission.

- Provide an overview of the priority issues and major recommendations you are making
- Highlight key words relating to the human rights issues you are highlighting (e.g. discrimination, access to healthcare etc.)
- Provide the names of all the organisations or groups involved in your submission if the submission is made by a coalition

Example: Submission by Charter Committee on Poverty Issues Canada**Introduction**

CCPI is a national committee which brings together low income individuals, anti poverty organizations, researchers, lawyers and advocates for the purpose of assisting poor people in Canada to secure and assert their rights under international law, the *Canadian Charter of Rights and Freedoms* ("the Charter"), human rights legislation and other law in Canada.

CCPI has appeared before a number of UN Human Rights treaty monitoring bodies and has been granted leave to intervene in twelve cases at the Supreme Court of Canada.

Two key points that CCPI wishes to focus on are:

- The violations of the right to an adequate standard of living
- The right to effective remedies.¹

I. BACKGROUND AND FRAMEWORK

(Approx. 350 words)

This provides an overview of the main activities of submitting organisation, including date of establishment. It also provides an overview of methodology and the consultation process (where applicable) followed for the preparation of information provided in the submission.

Example: Submission of the European Roma Rights Centre Concerning Greece

The European Roma Rights Centre (ERRC) respectfully submits comments concerning Greece for consideration by the Human Rights Council (HRC) within its Universal Periodic Review at its 11th session on 2-11 May 2011. The ERRC is an international public interest law organisation engaging in activities aimed at combating anti-Romani racism and human rights abuse of Roma, in particular strategic litigation, international advocacy, research and policy development, and training of Romani activists.

The ERRC has been monitoring Roma rights in Greece since 1997, focusing on housing rights issues, police violence and racial segregation in education of Romani school children. Most recently, the ERRC and the Greek Helsinki Monitor (GHM), have undertaken a research project investigating and documenting the situation in accessing education for Romani children in 28 localities throughout Greece, as well as looking at housing conditions in these localities.²

¹ Submission by Charter Committee on Poverty Issues Canada, available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session4/CA/CCPI_CAN_UPR_S4_2009_CharterCommitteeonPovertyIssues.pdf

² Submission of the European Roma Rights Centre Concerning Greece for Consideration under the Universal Periodic Review by the United Nations Human Rights Council (HRC) at its 11th Session on 2 -11 May 2011.

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

This section constitutes the main body of the report.

A. Cooperation with human rights mechanisms (Approx. 400 words)

This provides information on the implementation of international human rights obligations, including:

1. Scope of international obligations (e.g. treaty implementation etc.)

Example: Submission by Norwegian NGO-Forum for Human Rights

Signature and Ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

The ICESCR-OP was adopted by consensus in the UN General Assembly on December 10th 2008. The protocol establishes an international complaints procedure for violations of economic, social and cultural rights as established by the ICESCR. Norway's position on the OP changed drastically during the drafting period. In 2008 the government took a surprising turn, abandoning its previous support of a comprehensive OP. Currently the government expresses reluctance to sign the OP. Still, we strongly recommend that Norway sign and ratify the Optional Protocol as soon as possible, and in any event explain the change of position.³

2. Constitutional and legal reforms aimed at protecting human rights
3. Institutional and human rights infrastructure (e.g. activities of National Human Rights Institutions, human rights education and awareness)
4. Policy measures (e.g. National Action Plans)

Example: Submission by NGO Combined Coalitions for New Zealand

New Zealand Action Plan for Human Rights

21. Governments were slow (mid-2007) to direct agencies to progress matters in the HRC Action Plan 2005-2010. HRC's Mid-term Review (October 2008) shows implementation has been either slow or non existent. We recommend the Government formally endorse the New Zealand Action Plan for Human Rights.⁴

This may also include information on cooperation between national human rights institutions, NGOs; rights holders; human rights defenders and other relevant national human rights stakeholders at the national, regional and international levels.

³ Submission by Norwegian NGO-forum for Human Rights available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/NO/NNFFHR_NOR_UPR_S06_2009_NorwegianNGOForumforHumanRights.pdf

⁴ Submission by NGO Combined Coalitions Submission to the Universal Periodic Review, May 2009, available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/NZ/JS1_NZL_UPR_S5_2009_NGOCmbinedCoalitionsSubmissions_JOINT.pdf

B. Implementation of International Human Rights Obligations

(Approx. 1,200 words – including recommendations)

This provides information on the implementation of human rights obligations in Ireland. Organisations may select the most relevant rights from the list below. Subheadings may be inserted where necessary,

1. Equality and non-discrimination
2. Right to life, liberty, and security of the person
3. Administration of justice and the rule of law
4. Freedom of religion or belief, association, and peaceful assembly and the right to participate in public and political life
5. Right to work and to just and favourable conditions of work
6. Right to social security and to an adequate standard of living
7. Right to education and to participate in the cultural life of the community
8. Minorities and indigenous peoples
9. Migrants, refugees, and asylum-seekers
10. Human rights and counter-terrorism

Some examples from various NHRI and NGOs on a number of different rights are detailed below:

Example: Submission by Charter Committee on Poverty Issues Canada

B. Violations of the Rights to an Adequate Standard of Living

Concerns about the effects of retrogressive measures on the enjoyment of fundamental human rights of the most vulnerable groups have been central to reviews of Canada by a number of treaty monitoring bodies over the last fifteen years. In its 1993 review of Canada, the CESCR first sounded the alarm about the extent of poverty and the emerging problem of homelessness...Treaty monitoring bodies have made important, concrete and realistic recommendations for addressing the crisis of poverty, homelessness and hunger in Canada, including the following:

- ensure that minimum wages are increased throughout Canada to a level enabling workers

and their families to enjoy a decent standard of living (CESCR 2006 par 47);

- address the needs of part-time and temporary workers for unemployment insurance and

improved labour protections (CESCR 2006, par. 48)

- establish social assistance at levels which ensure the realization of an adequate standard of

living for all, reviewing all retrogressive measures taken in social assistance programs since

1995 (CESCR 2006 pars. 52, 53)⁵

⁵ Submission by Charter Committee on Poverty Issues Canada, available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session4/CA/CCPI_CAN_UPR_S4_2009_CharterCommitteeonPovertyIssues.pdf

Example: Submission by the NHRI, Norwegian Centre for Human Rights**9. Minorities and indigenous peoples****24. Non discrimination and integration of Sami, Roma and other minority groups**

Non discrimination and integration of Sami, Roma and other minority groups in the Norwegian society is a challenge that needs continuous attention. The Sami are the indigenous people of Norway with a population of around 45 000. They have their own parliament –“Sametinget” – and there are ongoing discussions about land rights and the right to areas for reindeer herding. Sami people still experience discrimination in Norway, for example, accusations that they are less intelligent. This situation needs to be addressed. The High Commissioner for Human Rights in the Council of Europe has voiced concern about increased intolerance in Europe against Roma people. Norway faces similar challenges to other European countries when it comes to integration of Roma people and other minority groups. NCHR recommends that Norwegian authorities keep a strong focus on the situation of the minority groups in Norway in relation to non discrimination and continue its efforts to improve integration between Norwegian society and minority groups.⁶

Example: Submission from the Human Rights Commission of New Zealand**36. Migrants, Refugees and Asylum Seekers**

An Immigration Bill developed in 2007 has bipartisan support and is likely to become law. Despite a comprehensive consultation process which led to some changes, the Bill and accompanying regulations have some serious deficiencies including the special advocate mechanism that applies to people deemed to be a security risk; the lack of an explicit presumption in the Bill against detaining children and young people; the reluctance to consider granting residency to people with disabilities or their families if they are considered likely to be a burden on the health system (even if they meet all the other criteria) and a proscription against the Human Rights Commission becoming involved in matters relating to immigration.

The Commission recommends that the Government reviews immigration (and counter-terrorism legislation) to ensure it is fully compliant with human rights standards.⁷

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

(Approx. 100 words)

This includes information about:

- Achievements made in the past four years by the State
- Best practices which have emerged
- Challenges and constraints faced by the State

⁶ Submission by the Norwegian Centre for Human Rights, University of Oslo, available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/NO/NCHR_NOR_UPR_S06_2009_NorwegianCentreForHumanRights_annex.pdf

⁷ Submission from the Human Rights Commission of New Zealand, UPR May 2009 – available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/NZ/NZHRC_NZL_UPR_S5_2009_NewZealandHumanRightsCommission_NHRI.pdf

Example: Submission by the Norwegian NHRI, the Norwegian Centre for Human Rights (Achievement)

27. Achievement - Equal rights for same-sex couples

Civil marriage is open to same-sex couples according to the new Norwegian Marriage Act Section 1, which entered into force on 1 January 2009. Those who are already in a partnership may apply to convert it into marriage or stay in partnership if they prefer to do so. Same-sex couples have the same right as other couples with regard to child adoption, as regulated in the Adoption Act. This also applies to second-parent adoption. Now that same-sex couples have the right to marriage, lesbian couples also have the right to assisted reproduction. On 28 June 2008 The Norwegian Government adopted a new action plan against discrimination of gay and lesbians. The development of this practice in Norway might serve as an example to other states.⁸

Example: Submission by an NGO coalition in New Zealand – Human Rights Foundation, May 2009 (Challenges)

Protecting Economic, Social and Cultural Rights

a) Legal enforcement

37. The Government generally asserts that economic, social and cultural rights cannot be enforced in court. New Zealand takes this position internationally as well and is unlikely to ratify the Optional Protocol to the ICESCR. The Government has stated that it remains sceptical about the utility of establishing a complaints mechanism for ESC rights, which it holds as ill-defined and not easily subjected to quasi-judicial assessment.⁹

IV. KEY NATIONAL PRIORITIES

(Approx. 100 words – this section is optional)

This outlines initiatives and commitments that Ireland should undertake to overcome challenges and constraints to improve human rights, including:

- National strategies
- Areas where further progress is required
- Steps regarding implementation and follow up to recommendations made by human rights mechanisms
- Commitments for future cooperation with the UN and human rights mechanisms and agencies

⁸ Submission by the Norwegian Centre for Human Rights, University of Oslo, available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/NO/NCHR_NOR_UPR_S06_2009_NorwegianCentreForHumanRights_annex.pdf

⁹ Submission by Combined NGO Coalition - Action for Children and Youth Aotearoa, Human Rights Foundation, et al; Aotearoa Indigenous Rights Trust and Peace Movement Aotearoa, et al. available at <http://www.converge.org.nz/pma/hrfupr09.pdf>

Example: Submission from the NHRI, Human Rights Commission of New Zealand

SUMMARY OF KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

The key national priorities, initiatives and commitments that the New Zealand Human Rights Commission recommends to the government to improve human rights on the ground are:

INTERNATIONAL OBLIGATIONS

The Commission recommends the Government establish a comprehensive UPR and Treaty body reporting process that includes engagement with civil society, greater integration across public agencies and clearer accountability for coordinating and publicising reports and following up on their recommendations.

The Commission recommends that the Government should, as a priority, withdraw the remaining reservations to the Convention on the Rights of the Child.

The Commission recommends explicit Government commitment to the full and effective incorporation of ratified international human rights standards in domestic legislation, in policy development and in public sector professional development and training¹⁰

V. CAPACITY BUILDING AND TECHNICAL ASSISTANCE

(Approx. 100 words – this section is optional)

This details expectations and recommendations for national and international cooperation.

Example: Submission from the New Zealand Human Rights Commission

40. **Capacity Building:** The Commission recommends that the government ensure that its foreign affairs and trade policies, as with its international development assistance policies, incorporate and promote international human rights standards and that it expand its support for the protection and promotion of human rights in the Asia-Pacific region.¹¹

Example: Submission by the NHRI, Norwegian Centre for Human Rights

Human rights education

Norway will submit a report on the status of human rights education to UNESCO during the spring of 2009. What we see of human rights education today is fragmented. NCHR strongly believes that education in and for human rights is an integral part of the right to education and is a critical element in the promotion and protection of human rights. In addition to the legal obligations to provide human rights education that are enshrined in various binding international instruments, the UN Decade for Human Rights Education and the subsequent UN World Programme and Plan of Action for Human Rights Education (WPHRE) produced a variety of standard-setting documents relating to national practice in human rights education...A plan of action is intended to be an

¹⁰ Submission from the Human Rights Commission of New Zealand, UPR May 2009 – available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/NZ/NZHRC_NZL_UPR_S5_2009_Ne wZealandHumanRightsCommission_NHRI.pdf

¹¹ Submission from the Human Rights Commission of New Zealand, UPR May 2009 – available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/NZ/NZHRC_NZL_UPR_S5_2009_Ne wZealandHumanRightsCommission_NHRI.pdf

important step toward the implementation of human rights. NCHR recommends that Norwegian authorities make a baseline study on the situation of human rights education in Norway and how a holistic approach might improve the situation. Subsequently, Norwegian authorities should develop a national action plan for human rights education that consists of programmes for human rights education at all levels, from primary education to university degrees and training among professionals.¹²

RECOMMENDATIONS

(Approx. 500 words. This section is optional as recommendations may be incorporated to Section II, Part B or outlined separately here)

This provides recommendations based on the human rights concerns described in this submission.

Example: Submission by ILGA Europe on Bisexual and Transgender Rights on Italy's UPR

We urge the Government of Italy to:

Ensure that laws and policies recognise the diversity of family forms, including those not defined by descent or marriage, and take all necessary legislative, administrative and other measures to ensure that no family may be subjected to discrimination on the basis of sexual orientation or gender identity of any of its members, including with regard to public benefits and immigration.¹³

APPENDIX

(No page limit)

- Annexes to the submission should not include pictures, maps, organisations' annual reports or reports from other organisations
- Include detailed citation information and web links for all documents suggested for further reference.
- Identify those references included as attachments/exhibits to the submission.
- If numerous documents/suggested resources are listed, organise documents by sub-issue and list under separate headings.

¹² Submission by Norwegian Centre for Human Rights available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/NO/NCHR_NOR_UPR_S06_2009_NorwegianCentreForHumanRights_annex.pdf

¹³ Submission by ILGA Europe on Bisexual and Transgender Rights on Italy's UPR. Available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/IT/J1_UPR_ITA_S07_2010_JointSubmission1.pdf

Abbreviated example: Appendix from Human Rights Watch Submission to the United State UPR 2010

Appendix of Human Rights Watch Reports and Research

Equality and Discrimination

1 Human Rights Watch, *Decades of Disparity: Drug Arrests and Race in the United States*, March 2009, <http://www.hrw.org/en/reports/2009/03/02/decades-disparity-0>; Human Rights Watch, *Targeting Blacks: Drug Law Enforcement and Race in the United States*, May 2008, <http://www.hrw.org/en/reports/2008/05/04/targeting-blacks-0>.

2 National Network to End Domestic Violence, "Domestic Violence Counts 2008," February 2009, available at <http://www.nnedv.org/resources/census/67-census-domestic-violence-counts/232-census2008.html> (accessed February 11, 2010), p. 6.

3 In Oregon alone, where Human Rights Watch conducted research in June 2009, the annual number of unmet requests for shelter from domestic and sexual violence shot up to 19,996 in 2008, a 36 percent increase over 2007, according to state agencies. Letter from Human Rights Watch to the Oregon State Legislature, June 19, 2009, <http://www.hrw.org/en/news/2009/06/19/letter-oregon-state-legislature>.

4 Human Rights Watch, *Fingers to the Bone: U.S. Failure to Protect Child Farmworkers*, June 2000, <http://www.hrw.org/en/reports/2000/06/02/fingers-bone>.¹⁴

¹⁴ Submission by Human Rights Watch to the UPR Review of the United States of America, March 2010, available at <http://www.hrw.org/en/news/2010/04/19/submission-universal-periodic-review-united-states>