# **IRISH HUMAN RIGHTS COMMISSION:**

# **PUBLIC CONSULTATION ON CEDAW**

**JULY – SEPTEMBER 2016**

# **Written submissions to the Irish Human Rights and Equality Commission on CEDAW**

The Irish Human Rights and Equality Commission (the Commission) is preparing a detailed report on Ireland’s record under the **UN Convention for the Elimination of all Forms of Discrimination against Women (CEDAW)**, in advance of Ireland’s examination before the Committee or the Elimination of all Forms of Discrimination against Women (CEDAW Committee) in Geneva in the Spring of 2017.

In March of 2016 the CEDAW Committee published a ‘List of Issues Prior to Reporting’ outlining its primary areas of interest about Ireland’s record under the Convention. The list can be downloaded [HERE](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IRL/CEDAW_C%20_IRL_QPR%206_7_23281_E.pdf), and for more information on some of the key issues being considered, see below.

In preparing its report, the Commission provide information to the CEDAW Committee on these areas of interest, as well as to highlight further matters.

The Commission is inviting written submissions **from members of the public and civil society organisations** to inform us in the preparation of our report. Submissions will be accepted by the Commission from **25 July to 5 September 2016.**

The Commission has prepared a template for written submissions, split up by theme, to help contributors to organise their information.

Use of this template is not mandatory, and contributors are welcome to send in submissions produced in their own style, with a focus on a more particular aspect of the convention, or on a particular area of the contributor’s work or experience.

**Please address queries, and return written submissions:**

By email to: cedaw@ihrec.ie (Subject Line: NAME/ORGANISATION CEDAW SUBMISSION)

By post to: CEDAW Project Team

Irish Human Rights and Equality Commission

16-22 Green Street

Dublin 7

***Receipt of all submissions will be confirmed.***

***For submissions made on behalf of organisations, please include your name, your role within the organisation, and contact details for verification purposes.***

***Submissions will be used by the Irish Human Rights and Equality Commission to inform their report to the CEDAW Committee. Content from the submissions may be cited or quoted in the report. The Commission will not share submissions received with a third party without the consent of the submitter.***

**The kinds of issues covered by CEDAW**

CEDAW is a wide-ranging treaty covering all aspects of the lives of women globally, often described as an international bill of rights for women.

It defines what discrimination against women means, and what States need to do to end such discrimination. Discrimination against women is defined in Article 1 as:

**“...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."**

CEDAW can be split up into a number of key areas on the rights of women. These include:

* **The systems that the state has put into place for gender equality and the protection of women’s rights.** This would include:
  + The extent to which the principles in CEDAW are reflected in the Irish Constitution, its laws, and its political procedures
  + Whether or not the state has systems and machinery in place to ensure the advancement of women.
  + State allocation of funds to gender equality and mainstreaming
* **A focus on some of the particular issues that violate women’s human rights, and form a barrier to equality**. The CEDAW Committee, for example, has raised concerns in its [‘List of Issues’](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IRL/CEDAW_C%20_IRL_QPR%206_7_23281_E.pdf) about the following:
  + Historical abuse, and access to justice for such abuse (for example, the Magdalene Laundries and Mother & Baby Homes)
  + Gender stereotyping in law and practice (for example, Article 41.2 of the Irish Constitution on the woman’s role in the home)
  + Violence against women
  + Trafficking and exploitation
  + Exclusion of women from political and public life
* **A focus on socioeconomic issues affecting women’s equality.** These could include:
  + Women’s experience in education
  + Women in employment, including the gender pay gap, parental leave, childcare
  + Family benefits
  + Access to health
* All the above issues are interlinked, and can affect different women, from different backgrounds and walks of life, in different intersecting ways. For this reason, **CEDAW is also interested in learning of the experiences of particular groups of women.** Such groups include:
  + Traveller and Roma women
  + Women living in rural communities
  + Migrant and asylum-seeking women
  + Women interacting with the criminal justice system
  + Women with disabilities
  + Older women
  + Younger women and youth issues

In your submission to us, you can address some or all of the issues outlined above. Or, you may have another issue or perspective that you feel is worth sharing with the Commission. We welcome your thoughts, perspectives and input.

**Useful links**

The below is a list of some useful links to assist you in preparing this submission.

* The full text of CEDAW can be found at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>
* The webpage of CEDAW is <http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx>
* The CEDAW Committee’s **‘List of Issues Prior to Reporting’ on Ireland** was published in March 2016. It outlines the main questions the Committee plans to ask Ireland regarding its record under CEDAW. Ireland will focus primarily on answering these questions when engaging with the Committee via its State Report (Due in September 2016) and when before the Committee in Spring 2017. The List of Issues is a useful pointer as to the main themes that will likely be covered during the examination. Other issues may well also arise, and you do not need to restrict your submission to the content of the List of Issues. The List of Issues can be downloaded at <http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IRL/CEDAW_C%20_IRL_QPR%206_7_23281_E.pdf>
* In late 2015 the Irish Human Rights and Equality Commission sent the CEDAW Committee a report to assist it in preparing a List of Issues for Ireland. Our 2015 report can be found at: <http://www.ihrec.ie/publications/list/ihrec-submission-to-the-un-cedaw-on-the-list-of-is/>

# **CONSULTATION SUBMISSION TEMPLATE**

This is a thematic template for written submissions to assist contributors in organising their information. It invites contributors to think about a set of specific thematic issues, and raise their observations and suggestions in the areas of law, policy, and practice.

This template is a guide only, and its use not mandatory. Themes in the template are, of course, interlinking, and contributors may prefer to consolidate their comments under one heading rather that splitting them up. Contributors are also welcome to send in submissions produced in their own style, with a focus on a more particular aspect of the Convention, or on a particular area of the contributor’s work or experience.

### **A: The promotion of women’s human rights and gender equality in law, policy and practice.**

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| 1. What do you view as the primary gaps in law, policy, and practice where the protection of the human rights and equality for women is concerned? |
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| 1. Can you outline what in your view are some of the key barriers / obstacles to better implementing the principles of CEDAW in Ireland’s constitutional and statutory law; in its equality and gender mainstreaming policies, and in the practice of state actors? |
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| 1. What steps should be taken by the state in law, policy and practice to address some of the gaps outlined above, and how might these steps best be taken? |
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### **B: Current and ongoing challenges to women’s human rights and equality in Ireland**

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| 1. Outline and describe what you view as the primary issues in Ireland today that impact on the human rights and equality of women, with reference to CEDAW. This may include, but is not confined to, women in public life, family life, women in employment, health and gender stereotyping. See Section C for specific questions on socioeconomic issues. |
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| 1. Outline what in your view are some of the key contributing factors to the above human rights and equality issues. |
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| 1. What steps should be taken by the State in law, policy (including fiscal policy) and practice to address the human rights and equality issues described above, and how might these steps best be taken? |
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**C: Socioeconomic inequalities affecting the realisation of women’s human rights and equality**

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| 1. Outline and describe what you view as the primary socioeconomic factors in Ireland today that impact on the human rights and equality of women. |
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| 1. Describe the manner in which these factors impact on the full attainment of human rights and equality for women in Ireland. |
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| 1. What steps should be taken by the State in law, policy (including fiscal policy) and practice to address the human rights and equality issues described above, and how might these steps best be taken? |
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**D: Specific human rights and equality challenges faced by certain groups of women in Ireland**

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| 1. Are there a group or groups of women facing particular human rights and equality challenges in Ireland today whose experiences you would like to highlight or describe? |
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| 1. Describe what specific human rights and equality challenges that exist for this particular group or groups of women in Ireland in light of the issues outlined above. |
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| 1. What steps should be taken by the State in law, policy (including fiscal policy) and practice to ensure that the human rights and equality of this group/these groups of women are vindicated, and how might these steps best be taken? |
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**E: Further comments or observations**

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| 1. Please include any further comments or observations you may have here. |
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**For further information on our CEDAW public consultation process please contact a member of the CEDAW Project Team at 01 8589601.**