



Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas  
Irish Human Rights and Equality Commission

# Key equality and human rights recommendations for the next Government

Irish Human Rights and Equality Commission

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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

This document highlights our recommendations in key policy areas that have significant human rights and equality implications. While the key recommendations have been organised under departmental headings, we recognise that many of these issues require a cross-departmental and whole-of-government approach to ensure that these key human rights and equality recommendations are implemented.

## **Children, Equality, Disability, Integration and Youth**

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### **The Equality Acts Review**

- › Socio-economic status and criminal conviction should be added as new protected grounds in the Equality Acts, as well as amending the gender ground to include explicit reference to, and define, gender identity, gender expression, and sex characteristics.
- › Section 19 of the Intoxicating Liquor Act 2003 should be repealed so that complaints of discrimination in licensed premises can return to the purview of the Equal Status Acts and the jurisdiction of the Workplace Relations Commission.

See IHREC, [Submission on the Review of the Equality Acts](#) (2023).

### **Disability**

- › Commit to making disability rights a priority in the next term of government, including the full implementation of the UNCRPD and ratification of the Optional Protocol to the UNCRPD, including meaningful engagement with disabled people and the DPOs. Full implementation of the CRPD must include a commitment to review and amend legislative frameworks, including Equality Acts, EPSEN Acts, the Mental Health Act, and to bring forward legislation that adequately safeguards individuals at risk and/or deprived of their liberty.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

## Care

- › Prioritise the de-privatisation of care services by investing in a publicly funded and non-profit care infrastructure, including co-operative models and social enterprises, and ensuring a gradual and sustainable transition of services.

See IHREC, [Policy Statement on Care](#) (2023).

## Redress

- › Ensure accessible, non-discriminatory redress for survivors and affected persons of historical abuse in Ireland, without arbitrary and unreasonable pre-conditions, including amended redress for people resident in the Mother and Baby Homes.

See IHREC, [Submission on the General Scheme of a Mother and Baby Institutions Payment Scheme Bill](#) (2022).

## International Protection

- › Take urgent action to establish a sustainable and not-for-profit system for international protection accommodation, including by ending the continued reliance on commercial providers for emergency provision, significantly increasing State-owned accommodation, and ensuring human rights-compliant reception conditions.

See IHREC, [Submission on Direct Provision White Paper](#) (2020).

## Anti-racism

- › Direct funding to community development organisations working to combat hate and extremism at the local level.

See IHREC, [Ireland and the 6<sup>th</sup> Monitoring Cycle of the European Commission against Racism and Intolerance](#) (2024).

## Civil society recommendations

- › Adequately support community and voluntary organisations to carry out the advocacy, participation and social inclusion functions, which are central to their mandate and amend the Charities (Amendment) Bill 2022 to enable charities to conduct relevant political advocacy as part of their work.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

## Housing, Local Government and Heritage

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### Traveller accommodation

- › Fully implement the recommendations of the Traveller Accommodation Expert Review Group, including by establishing a National Traveller Accommodation Authority.
- › Conduct a rights-based review of legislation, and progress reform in the areas of planning, evictions, trespass, and the setting of minimum standards for halting sites, to underpin sustainable progress in the delivery of Traveller accommodation.

See IHREC, [Comments on Ireland's 20<sup>th</sup> National Report on the Implementation of the European Social Charter](#) (2023).

### Right to independent living

- › Commit to actively supporting and resourcing disabled people to live independently, including through the provision of person-centred financial supports, provision of universally designed housing, a legal right to, and provision of, personal assistance, and flexible services across the life cycle.
- › To support independent living, commit to the principle of universal design, and that the physical environment, transportation, information and communication services are accessible to all.
- › Accelerate the deinstitutionalisation process and publish the timeline for delivery with indicators to facilitate independent monitoring.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024) and [IHREC Policy Statement on Care](#) (2023).

## Education

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### Redress

- › Ensure equal access to redress for those who experienced child abuse in primary and post primary schools, dating from before 1991 and 1992, as ruled by the European Court of Human Rights in O’Keeffe v. Ireland.

See IHREC Press Release, [Significant concession by the State as it settles High Court Cases Challenging Survivors’ Exclusion from School Abuse Redress Scheme](#) (2024)

### Public Sector Equality and Human Rights Duty

- › Amend Section 2 of the Irish Human Rights and Equality Commission Act 2014 to extend the definition of a public body to include bodies in the education sector that are wholly or partially in receipt of public funds, thereby ensuring that the Public Sector Duty is directly applicable to all schools and educational settings in the State.

See IHREC, [Submission on the Review of the Education for Persons with Special Educational Needs \(‘EPSEN’\) Act 2004](#) (2023).

### Anti-racism

- › Update school and community education curricula, create public awareness campaigns, and introduce ethical reporting guidelines through Coimisiún na Meán, to proactively address biases which can lead to hatred and intolerance.

See IHREC, [Ireland and the 6<sup>th</sup> Monitoring Cycle of the European Commission against Racism and Intolerance](#) (2024).

## Health

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### Sláintecare

- › Renew the commitment to the timely implementation of Sláintecare, including through significantly increasing public spending to meet the required levels for long-term reconfiguration of the healthcare system and to end the disproportionate reliance on private healthcare services.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

### Mental health reform

- › Commit to publication and enactment of the Mental Health Bill and invest in community based mental health services.

See IHREC, [Submission on the General Scheme of the Mental Health \(Amendment\) Bill](#) (2022).

### Abortion Review

- › Implement the recommendations of the *Review of the operation of the Health (Regulation of Termination of Pregnancy) Act 2018* by Independent Chair Marie O'Shea, including those in relation to pregnancies involving fatal foetal abnormalities, to ensure appropriate access to abortion in Ireland.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024) and IHREC, [Submission on the General Scheme of the Health \(Termination of Pregnancy Services \(Safe Access Zones\)\) Bill 2022](#) (2022).

### Trans health

- › Develop and adequately resource appropriate healthcare for transgender children, young people and adults as a matter of urgency.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

## Justice

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### Policing Reform

- › Ensure the inclusion of human rights protections and safeguards in any reform of Garda legislation, including with regard to the use of facial recognition technology and the codification of Garda powers.

See IHREC, [Ireland and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment](#) (2024) and IHREC, [Submission to the Minister for Justice on the General Scheme of the Garda Síochána \(Recording Devices\)\(Amendment\) Bill](#) (2024).

### Civil legal aid

- › Amend the Civil Legal Aid Act 1995 to provide for the provision of legal aid for cases involving equality and fundamental rights.

See IHREC, [Submission to the Independent Review of the Civil Legal Aid Scheme](#) (2023).

### Hate speech and hate crime

- › Prioritise the enactment of legislation, in line with international human rights obligations, to effectively address online and offline hate speech and hate crime.
- › Adopt policy and regulatory measures and frameworks to combat hate speech and hate crime including supports for victims; regulation of online services; media regulation; codes of conduct for public officials, election candidates and elected representatives; and education and awareness raising.

See IHREC, [Ireland and the 6<sup>th</sup> Monitoring Cycle of the European Commission against Racism and Intolerance](#) (2024) and IHREC, [Submission on the General Scheme of the Criminal Justice \(Hate Crime\) Bill](#) (2022).

### Domestic, sexual and gender-based violence



- › As part of implementing a zero tolerance approach to Domestic, Sexual and Gender-Based Violence, establish a domestic and family violence death review process as recommended by the Study on Familicide & Domestic and Family Violence Death Reviews in 2023.
- › Ensure that victims and survivors including victims of trafficking, have access to adequate housing and supports, including by increasing provision of refuge accommodation and safe homes.

See IHREC, [Ireland and the 6<sup>th</sup> Monitoring Cycle of the European Commission against Racism and Intolerance](#) (2024) and IHREC, [Submission on the General Scheme of the Domestic, Sexual and Gender-Based Violence Agency Bill](#) (2023).

## **Optional Protocol on the Convention Against Torture**

- › Proceed with the immediate ratification of Optional Protocol on the Convention Against Torture, and provide the National Preventive Mechanisms and the co-ordinating body with adequate, multiannual and costed funding to discharge their functions effectively, including to enable long-term planning and specialist staff recruitment and training.

See IHREC, [Ireland and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment](#) (2024).

## **Anti-Human Trafficking Unit**

- › The Commission recommends that assistance to all victims of trafficking, regardless of their nationality, immigration status or pending applications for international protection, is enshrined in law. The National Referral Mechanism Bill (full title Criminal Law (Sexual Offences and Human Trafficking) Bill 2023), which includes immigration provisions for third-country national victims, specialised shelters and child trafficking specific procedures, and the revised National Referral Mechanism requires urgent implementation.
- › The Commission recommends that the new National Referral Mechanisms for Identification and Assistance of victims of trafficking is put into operation as early as possible, and is supplied with appropriate data collection systems.

See IHREC, [Trafficking in Human Beings in Ireland: Second Evaluation of the Implementation of the EU Anti- Trafficking](#) (2023).

## Enterprise, Trade and Employment

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### Business and human rights

- › Introduce robust and mandatory human rights due diligence legislation, which includes the full value chain of all companies and environmental protections within its scope, prioritises transparency in reporting, and ensures effective sanctions and enforcement.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

### Decent wages

- › As part of the full transposition of the EU Directive on Adequate Minimum Wages, the State should prioritise adequate earnings as a key dimension of decent work. Any wage exemptions should be exceptional, and the different rates of remuneration for disabled people should be removed from the Employment Equality Acts.
- › Additionally, the State should adopt the Minimum Essential Standard of Living method for determining a living wage. In support of workers' rights, the State should also take immediate action to address the ongoing absence of a statutory right to collective bargaining and the consequent imbalance of power in the labour market in Ireland.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

### Artificial Intelligence

- › Ensure that the protection of fundamental rights (i.e. non-discrimination and personal, civil, political, economic and social rights) are central to domestic regulation and monitoring of the EU AI Act in Ireland.
- › Ensure the robust and transparent oversight and governance of deployment of AI by the State in the delivery of public services.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

## Environment, Climate and Communications

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### Climate/ Just Transition

- › In progressing the Just Transition, the Government should take active targeted measures to support structurally vulnerable groups, including those living in poverty, older people, disabled people, women, and minority ethnic people and guard against maladaptation in the design, monitoring, review, and evaluation of Just Transition in Ireland.

See IHREC, [Policy Statement on a Just Transition](#) (2023).

### Digital divide

- › Public services should remain accessible to those who do not use or have access to digital technology, including by retaining adequately staffed and non-digital access options.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024)

## Public Expenditure, NDP Delivery and Reform

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- › Adequate funding for IHREC to carry out its mandate as Ireland's National Equality Body and National Human Rights Institute
- › Commit to engaging in multi-annual budgetary planning and allocation at a level that ensures the effective discharge of all our statutory functions, and that new mandates are accompanied by adequate funding, including those arising from the transposition of new EU Directives on Standards for Equality Bodies.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

### Public Sector Equality and Human Rights Duty

- › Commit that all Government departments and public bodies under their remit fully comply with obligations under Public Sector Equality and Human Rights Duty. This includes the incorporation of the Duty into all relevant governance codes for public bodies, the

issuance of a Public Sector Equality and Human Rights Circular to all relevant public bodies.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

## Social Protection

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### Parental leave

- › Together with DCECIY, the State should make provision for maternity, paternity and parent's benefit schemes which are adequate both in terms of length and rate of payment.
- › These should apply equally to children in one-parent families; should be non-transferable to encourage sharing of responsibilities; and should be coordinated with Early Childhood Education and Care to ensure there are no gaps between paid leave and affordable childcare.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

### Index linking of welfare payments

- › We recommend that the Government adopts Welfare Indexation across social welfare policy development and reform, as a matter of priority.

See IHREC, [Policy Statement on the Index-Linking of Welfare Payments \(welfare Indexation\)](#) (2003).

## Foreign Affairs

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### **Ratification of International Covenant on Economic, Social and Cultural Rights Optional Protocol**

- › Conduct a comprehensive audit of legislation to assess alignment with the International Covenant on Economic, Social and Cultural Rights, and take the necessary steps to complete ratification of the Optional Protocol.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

## Taoiseach

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### **Economic, social and cultural rights**

- › Establish a ‘Joint Oireachtas Committee on a constitutional amendment for Economic, Social and Cultural Rights’ with terms of reference giving it a clear mandate to produce a draft constitutional text for such an amendment for consideration by the Oireachtas and the Government. The proposed Joint Committee should also consider a constitutional right to housing.

See IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (2024).

### **Island of Ireland work**

- › The Commission recommends that the Irish Government, NI Executive, and UK Government work to enhance and harmonise equality and human rights protections on the island of Ireland, aligned to their respective remits, and make a clear commitment to working towards ensuring North-South equivalence of rights on the island of Ireland so as to strengthen protections.

See IHREC, [Equality and Human Rights on the Island of Ireland after Brexit](#) (2023).





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