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**Working Group on the Universal Periodic Review**  
**Twenty-fifth session**  
Geneva, 2-13 May 2016

### **Draft report of the Working Group on the Universal Periodic Review\***

#### **Ireland**

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\* The annex to the present report is circulated as received

## Contents

	<i>Page</i>
Introduction .....	3
I Summary of the proceedings of the review process .....	3
A. Presentation by the State under review .....	3
B. Interactive dialogue and responses by the State under review .....	4
II. Conclusions and/or recommendations.....	13
Annex	
Composition of the delegation .....	28

## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of Ireland was held at the 18<sup>th</sup> meeting on 11 May 2016. The delegation of Ireland was headed by Tánaiste and Minister of Justice and Equality, H. E. Ms. Frances Fitzgerald. At its 20<sup>th</sup> meeting held on 13 May 2016, the Working Group adopted the report on Ireland.
2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Ireland: Ghana, Republic of Korea and Slovenia.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Ireland:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/IRE/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/IRE/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/IRE/3).
4. A list of questions prepared in advance by the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Ireland through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation of Ireland stated that Ireland attaches great importance to human rights and to the UPR process. Significant domestic developments have taken place since Cycle 1. The delegation acknowledged that Ireland has challenges to address, and is committed to ongoing improvement in the protection of human rights. The delegation stressed the importance of – and the significant contribution made by – a strong and independent community and voluntary sector, and praised the engagement by civil society organizations and the Irish Human Rights and Equality Commission.
6. The delegation outlined the socio-economic context for the policy choices of the past five years. In the financial crisis, Ireland's social welfare system had protected the most vulnerable from the worst impact.
7. In outlining key recent human rights developments, the delegation referenced the adoption by the people by referendum of an amendment to the Constitution to provide for same-sex marriage. Ireland is at the forefront of introducing self-determined gender recognition through the passing of the Gender Recognition Act 2015, which allows adults to determine their own gender without recourse to medical or psychological opinion. It provides for the preferred gender of a person to be fully recognized by the State.

8. The delegation highlighted that Ireland has amended its Constitution to strengthen the rights of children, including the principle that the rights of the child are the paramount consideration in relevant proceedings. The Children and Family Relationships Act 2015 established a new legal architecture for children and set the rights of the child as the paramount consideration for the court in family law cases.

9. Ireland noted that the strength of the mandate and the structural independence of the Irish Human Rights and Equality Commission have been recognized internationally and it has been accorded 'A' Status. The founding Act introduces a positive duty on public bodies to have due regard to human rights and equality in their work and conduct their business in a manner that is consistent with individual human rights.

10. The delegation highlighted that Ireland, as well as seeking the views of members of the public and civil society in preparing for the UPR, Ireland, was the first EU member state to publish a national strategy on children and young people's participation in decision-making, engaged in a child-led consultation with 8-17 year olds.

## **B. Interactive dialogue and responses by the State under review**

11. During the interactive dialogue, 93 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

12. Holy See appreciated the newly developed strategies, including against domestic violence and those giving attention to children and persons with disabilities; and the establishment of the Irish Refugee Protection Programme.

13. Honduras welcomed Ireland's efforts in implementing the recommendations received during the first UPR cycle.

14. Hungary commended Ireland's commitment to the protection of human rights defenders. Hungary regretted that Ireland had not yet ratified the Convention on the Rights of Persons with Disabilities and referred to the national preventive mechanism required under OP-CAT and in line with accepted UPR recommendations.

15. India welcomed the establishment of the Human Rights and Workplace Relations Commissions, the adoption of the Equality Act and recent measures to enhance the rights of the child. India encouraged Ireland to address the forced removal of Roma Children from their families into State care. India was concerned at the disproportionately high level of unemployment among Travellers, Roma, young people and persons with disabilities.

16. The Philippines commended establishment of the Human Rights and Equality Commission and adoption of the Equality Act. It encouraged Ireland to ensure access of migrants to the labour market and social security, and urged it to address allegations of the ill-treatment of older persons and persons with disabilities in residential care, and to consider alternatives to institutionalization.

17. Iran (Islamic Republic of) was concerned at racial discrimination, intolerance and profiling, especially against Muslim and African origin people. It shared the concerns of the Committee on the Rights of the Child regarding the state of health of children in single-parent families, in poverty and of Travellers and Roma children.

18. Iraq welcomed the adoption of the necessary legislation to enable the ratification of the CRPD. Iraq commended the establishment of the Human Rights and Equality Commission, which would assist public bodies in performing their duties.

19. Israel was deeply concerned at the existence of hate crimes, unnecessary surgeries on intersex children, the persistent discrimination against LGBTI children. Israel was

worried about reports of non-consensual use of psychiatric medication, electroshocks, and other coercive practices in mental health services.

20. Kenya noted efforts of Ireland to combat racism, increase international development aid and for active engagement in establishing the Sustainable Development Goals.

21. Kyrgyzstan commended Ireland for the adoption of the second national strategy on domestic, sexual and gender-based violence and of the Equality Act, for acceding to several international human rights instruments.

22. Latvia noted efforts to reduce the risks of human trafficking from sham marriages; and the adoption of the Children First Act and a national strategy on children and youth participation in decision-making.

23. Lebanon welcomed Ireland's implementation of a high number of recommendations of the UPR that included amendments to the anti-discrimination laws and achieving equality.

24. Libya commended the reforms to the law enforcement sector and the establishment of the Human Rights and Equality Commission.

25. Lithuania commended the adoption of a national strategy to reduce suicides and encouraged its full implementation. Lithuania welcomed the adoption of the second national strategy on domestic, sexual and gender-based violence.

26. Malaysia noted new legislation, reform or strategies on policing operations, protecting children, combating racism and disability inclusion, while noting the need to give further attention to the rights of women, children and persons with disabilities.

27. Maldives commended the adoption of the Equality Act 2015, the issuance of a national plan against trafficking and the extension of the Early Childhood Care Education programme.

28. Mexico congratulated Ireland for its commitment to the UPR, recognized advances in developing initiatives regarding migration, and urged that those initiatives were promptly consolidated and carried out.

29. Montenegro welcomed the strategy against domestic violence and its plan for ratification of the Istanbul Convention. Montenegro asked about the consultation process with civil society and academia launched for ratification of OP-CAT and on the initial results of the work of the police authorities' Child Protection and Human Exploitation Unit.

30. Morocco noted Ireland's commitment to combat racism in all its forms, including against migrants. It welcomed the establishment of the Human Rights and Equality Commission and of an Inter-Departmental Committee on Human Rights, and consultations with regards to ratifying OP-CAT.

31. Mozambique welcomed the issuance of the Draft National Action Plan to Prevent and Combat Human Trafficking and noted the launch of the inspirational National Strategy on Children and Young People's Participation in Decision-making.

32. Namibia welcomed the national consultations on the UPR process, especially among children and youth, and the adoption of the Equality Act 2015 and the strategy against domestic violence.

33. The Netherlands congratulated Ireland on its public vote on amending the Constitution to allow same-sex marriage. It encouraged further action on ratifying OP-CAT and removing all constitutional obstacles defining restrictive abortions.

34. New Zealand commended progress on gender equality and the amendment to the Constitution allowing same-sex marriage, while noting the need for further work on the sexual and reproductive health policy for adolescents.
35. Norway appreciated the continued involvement of Irish civil society in the UPR process. Norway remained concerned about the restrictive circumstances under which an abortion could be carried out in Ireland and the conditions in prisons.
36. Pakistan commended the adoption of the National Disability Inclusion Strategy. Pakistan welcomed the establishment of the Irish Human Rights and Equality Commission and of the Court of Appeal and Ireland's cooperation with human rights mechanisms.
37. Panama welcomed Ireland's efforts in favour of human rights, especially those initiatives launched such as the Strategy on Domestic, Sexual and Gender Violence 2016-2021, the first strategy on children and youth participation in decision-making, the Child Protection and Human Exploitation Unit of the police, the new Court of Appeal.
38. Paraguay highlighted the effective application of legislation in Ireland and hoped that remaining problems could be overcome with successive legal reforms.
39. Indonesia welcomed the establishment of an Inter-Departmental Committee on Human Rights to assist in the ratification of key international human rights treaties and the commitment to further advance the women's rights agenda.
40. Poland welcomed the establishment of the Irish Human Rights and Equality Commission.
41. Portugal welcomed the establishment of the Human Rights and Equality Commission. Portugal was concerned that families affected by homelessness were reportedly facing delays in accessing social housing.
42. Qatar was concerned at violence against women and girls and the treatment of asylum seekers with long waiting periods and poor living conditions in the centres. It reminded Ireland of its pledge to ratify the CRPD.
43. The delegation reported that ratification of the Kampala Amendment on the International Criminal Court is an important objective for Ireland. Ireland is committed to promoting freedom of expression on and offline and is active in highlighting the issue of climate change in human rights discussions.
44. The delegation provided information that the Irish Refugee Protection Programme is a response to the migration crisis in Southern Europe. Ireland will take up to 4,000 persons over a two-year period. This includes 520 programme refugees from Lebanon under Ireland's Refugee Resettlement programme; 263 people have been accepted to-date, the remainder are expected by end-2016.
45. The delegation stated that the new Government has reaffirmed its commitment to resolving the housing shortage and homelessness crisis by appointing a Cabinet Minister for Housing issues and is committed to putting housing on a sustainable footing. That means that every household in Ireland will have access to secure, good quality housing suited to their needs at an affordable price in a sustainable community. The Government has set a target of an increase in output to the 25,000 homes required annually and measures have been introduced to meet this.
46. It was stated that the rental market in Ireland has doubled between 2006 and 2011 and specific measures are being introduced to bring much-needed stability to the rental sector.

47. The delegation explained that the Social Housing Strategy 2020 aims to increase the supply of social housing by 110,000 to 2020. €3 billion in capital funding will be provided in support of the Strategy.
48. Republic of Korea commended the enhancement of women's political participation by establishing quotas for the general election and the establishment of the Irish Human Rights and Equality Commission.
49. The Republic of Moldova encouraged Ireland to expedite the process of ratifying OP-CAT and establishing a national preventive mechanism. It inquired about the anti-trafficking plan.
50. Romania noted the steps taken by Ireland to ensure respect for the human rights of persons affected by the economic and financial crisis.
51. The Russian Federation made recommendations.
52. Saudi Arabia regretted the absence of legislation to ratify the CRPD and was concerned at racist manifestations and the lack of a strong monitoring mechanism. It was disappointed about the gender wage gap and religious discrimination policies in schools.
53. Senegal noted the ratification of ILO Convention 189 on domestic workers and welcomed the Comprehensive Employment Strategy for People with Disabilities.
54. Sierra Leone commended Ireland for its role in stressing the importance of civil society, and for the Strategy on Domestic, Sexual and Gender-based Violence, the Domestic Violence Bill and the National Action Plan to Prevent and Combat Human Trafficking.
55. Singapore welcomed initiatives to meet housing needs such as the Social Housing Strategy 2020 and the integrated housing package. Singapore commended Ireland for its Comprehensive Employment Strategy for People with Disabilities and looked forward to the early ratification of the CRPD.
56. Slovakia welcomed the establishment of the Human Rights and Equality Commission and the Child and Family Agency, and the adoption of the Children First Act. Slovakia encouraged Ireland to ensure effective access to abortion.
57. United States of America commended Ireland for co-facilitating the UN high-level event on refugees and migration and for its work on the Sustainable Development Goals. It was concerned at discrimination against Traveller and Roma communities and at religious preference in admissions to publically-funded schools under religious patronage. It noted negative developments in women's reproductive health.
58. South Africa commended Ireland's submission of a voluntary Interim Report, and enactment of legislation ensuring that same-sex couples could marry and urged reinstatement of 14 years as the age of criminal responsibility, as was established in the 2001 Children Act.
59. Spain congratulated Ireland for its national and international commitment with human rights and for the recent adoption of the law on same-sex marriage.
60. Sri Lanka welcomed the establishment of the Human Rights and Equality Commission, the constitutional recognition of children as rights holders and efforts to reduce the unemployment and poverty rates.
61. State of Palestine welcomed the progress in addressing the needs of persons with disabilities, towards ratifying the CRPD and steps regarding business and human rights including the working outline of its national action plan.
62. The Sudan welcomed the comprehensive presentation of the national report.

63. Sweden welcomed the delegation.
64. Switzerland underlined that the legal framework of adoption remained restrictive despite the Protection of Life during Pregnancy Act now allowed abortion in conditions when the life of the woman was at risk.
65. Thailand congratulated Ireland on its ratification of the OP-CRC-IC and encouraged adoption of a national human rights action plan. Thailand commended Ireland for its Second National Action Plan on Women, Peace and Security. It was concerned that incidents in Ireland of violence against women and children remained high.
66. The former Yugoslav Republic of Macedonia welcomed Ireland's support of civil society organizations and the establishment of an Inter-Departmental Committee on Human Rights. It asked for an update on the process of ratifying OP-CAT.
67. Timor-Leste welcomed the adoption of the Children (Amendment) Act 2015, repealing detention of children in adult prison facilities, and the strengthening of the Inpatient Child and Adolescent Mental Health Service.
68. Togo welcomed the development of the Strategy on Domestic, Sexual and Gender-based Violence 2016-2021, containing an action plan for ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence.
69. Turkey noted the economic difficulties of Ireland and welcomed the recent measures which boosted public resources and improved housing, social security and health care. Turkey noted steps to encourage co-education, diversity and tolerance of other faiths and the commitment to ratify the CRPD.
70. Ukraine welcomed the consultations with youth, the establishment of the Court of Appeal, the Human Rights and Equality Commission and the second national strategy on domestic, sexual and gender-based violence.
71. The United Arab Emirates welcomed the establishment of the Child and Family Agency, adoption of the Children First Act and the establishment of a police Child Protection and Human Exploitation Unit.
72. The United Kingdom of Great Britain and Northern Ireland welcomed Ireland's decision to extend marriage rights to same-sex couples and the signing into law of the constitutional amendment that strengthened children's rights. It encouraged the ratification of OP-CAT.
73. Slovenia welcomed ratification of the OP-CRC-IC and the Aarhus Convention and adoption of legislation on same-sex marriage. Slovenia noted persistent challenges regarding freedom of religion or belief in the education system and on access to abortion. Slovenia regretted that its previously accepted recommendations on the ratification of OP-CAT and OP-CRC-SC had not been implemented.
74. Uruguay welcomed the constitutional and legal measures adopted by Ireland against discrimination based on sexual orientation and gender identity and the establishment of the Irish Human Rights and Equality Commission. Uruguay noted that the treaty bodies underlined the restrictiveness of legislation on abortion.
75. Venezuela (Bolivarian Republic of) noted the ratification of the Optional Protocol to the Convention on the Rights of the Child. It welcomed the policies aimed at promoting the equality and integration of Roma and Travellers. It praised the Irish Refugee Protection Programme.
76. Algeria welcomed the adoption of the Children Act in 2015 but was concerned at increased food insecurity and malnutrition and at the impact of austerity measures on health care, education and social security and at gender inequality.

77. Andorra welcomed measures aimed at combating sexual, sexist and domestic violence through, inter alia, the adoption of the second national strategy. It appreciated the 2015 draft criminal law protecting children against sexual abuse.
78. Argentina commended the establishment of the Human Rights and Equality Commission. Argentina acknowledged Ireland for its advances towards combating discrimination.
79. Armenia welcomed the establishment of the Irish Human Rights and Equality Commission. Armenia particularly appreciated the establishment of the Court of Appeal and the police reform programme.
80. The delegation explained that most children in Ireland are educated in publicly-funded primary and post-primary schools. It was reported that principles of equality are set out in the relevant enactments and that a school's enrolment policy must be applied fairly to all applicants.
81. The delegation explained that the Patronage Divesting process creates greater primary school choice for parents in areas where there is not a demographic need for new school provision. In areas of population growth, the process for establishing new schools takes account of parental preferences. Since 2011, 42 new schools have opened to meet demand for schooling provision in areas of demographic growth (24 primary schools and 18 post-primary schools). 39 of these schools have a multi-denominational ethos. The new Programme for Government includes a commitment that the Government will aim to have 400 multi-denominational or non-denominational schools by 2030. The Education (Admission to Schools) Bill contains important changes to make enrolment policies fairer and more transparent.
82. Ireland reported that the *National Plan for Equity of Access to Higher Education 2015-2019* aims to assist under-represented groups, including members of the Traveller community, to participate in third level education.
83. The delegation stated that Ireland has introduced a suite of child protection legislation since its last review, including legislation to ensure that criminal convictions or other information which gives rise to concerns regarding a person working with or seeking to work with children is disclosed appropriately. It is mandatory for persons working with children or vulnerable adults to be vetted. The defence of reasonable chastisement in relation to corporal punishment has been abolished.
84. The Child and Family Agency (Tulsa) has funding of some €676m in 2016 and brings a dedicated focus to child protection, family support and other key children's services and is responsible for a range of services.
85. Australia welcomed the newly established Human Rights and Equality Commission and its first 2016-2018 strategy statement. Australia commended Ireland for its engagement with civil society, holding a referendum on children's rights, progress in improving prison conditions.
86. Azerbaijan was concerned about intolerance and discrimination against non-citizens, and ill-treatment, harassment, incitement to violence and hate speech towards minorities, anti-Semitic and Islamophobic manifestations, prison conditions and domestic and sexual violence against women.
87. Bahrain was concerned with the prevalence of domestic and sexual violence against women, which remained serious, and with gender inequality, since women were still under represented in the public and private sectors.
88. Bangladesh acknowledged the primacy of best interests of the child and the commitment to combating racism and the proposed integration strategy to include an anti-

racism component. Bangladesh repeated concerns of treaty bodies on gender inequality, the situation of the Roma and discriminatory admission policies in schools.

89. Belarus noted legal and administrative measures taken by Ireland to implement recommendations of the first review. Belarus welcomed the efforts to combat trafficking in persons.

90. Bolivia noted the advances promoted by Ireland since its first UPR cycle and the positive approach regarding its second review.

91. Bosnia and Herzegovina praised Ireland's support for human rights education and encouraged steps to ratify the Optional Protocol to the ICESCR and enquired about the ending of children's detention in adult prisons.

92. Botswana commended Ireland for strongly advocating against reprisals, protecting human rights defenders, promoting civil society space and combating domestic violence.

93. Bulgaria commended Ireland for the adoption of a strategy on the participation of children and youth in decision-and for establishing the Human Rights and Workplace Commissions. It encouraged the continued review of national legislation related to access to abortion.

94. Greece commended Ireland for its human rights achievements, such as the establishment of the Irish Human Rights and Equality Commission, the adoption of the Children Amendment Act 2015 and initiatives in protecting human rights defenders.

95. Chad welcomed legal developments with regard to equality and non-discrimination, sexual and domestic violence, trafficking in persons and abortion. It welcomed measures on access to justice, police reform and criminal justice.

96. Chile praised Ireland for the establishment of the Irish Human Rights and Equality Commission, and the adoption of the Marriage Act 2015 and the Equality Act 2015.

97. China noted Ireland's efforts to combat domestic and gender-based violence and human trafficking, and promote gender equality. It was concerned about prison overcrowding, acts of racism and hate crime, and poor conditions for asylum seekers.

98. Croatia welcomed the new strategy and the awareness-raising campaigns implemented to stop domestic, gender-based and sexual violence.

99. Cuba commended Ireland for progress in children's participation in decision-making universal health care and education. It noted treaty bodies' concerns regarding gender inequality, effects of public spending cuts on the most vulnerable in society and the Protection of Life during Pregnancy Act.

100. Cyprus welcomed legal measures taken, including to entrench children's rights in the Constitution and enhance their protection under Criminal Law; and the establishment of the Irish Human Rights and Equality Commission.

101. The Czech Republic appreciated the comprehensive presentation and responses provided to some advance questions.

102. Denmark welcomed the Constitutional changes, ensuring the right to marry to same-sex couples. Denmark was concerned about burdensome requirements for access to abortion and for its criminalization. Denmark welcomed improved prison conditions, though overcrowding issues remained.

103. Egypt highlighted positive developments such as the draft action plan on combating human trafficking, the criminal law bill and strengthened measures for juvenile and youth justice. It was however concerned at the negative impact of austerity measures, pervasive gender inequality and domestic and sexual violence, discriminatory school admission

policies, structural discrimination against Travellers and Roma, and racial crimes and incitement to racial and religious hatred.

104. Finland appreciated the open and broad consultation with civil society and encouraged continued efforts especially to promote the protection of economic, social and cultural rights.

105. France welcomed Ireland's efforts since its first review.

106. Georgia highlighted the establishment of the Human Rights and Equality Commission and encouraged the continued submission of a mid-term implementation report. Georgia was concerned at the reported absence of some important ratifications.

107. Germany welcomed the lively public discourse on ongoing challenges and the active participation of civil society in the UPR process.

108. Ghana commended the establishment of the Irish Human Rights and Equality Commission and for the integration of human rights standards including respect for equality and non-discrimination in public institutions. Ghana appreciated initiatives on children's access to health care.

109. Canada commended the implementation of marriage equality and encouraged timely legislative reforms towards the ratification of the Convention on the Rights of Persons with Disabilities.

110. Guatemala acknowledged the commitment of Ireland in promoting and protecting human rights. Guatemala noted the approval of the International Protection Act 2015.

111. Haiti noted progress in the areas of children's rights, access to justice, national minimum wage, universal health coverage, and combating domestic violence.

112. Italy noted Ireland's efforts to strengthen the participation of children in decision making and the protection of children as well as the protection of women's rights and their protection from violence.

113. Iceland highlighted the referendum approving marriage equality. Iceland regretted the highly restrictive circumstances under which women can lawfully have an abortion in Ireland and the criminalization of abortion in cases of rape, incest and threat to a woman's health.

114. Brazil commended legislation ensuring same-sex marriage and on-going measures to ratify OP-CAT. Brazil encouraged Ireland to consider developing programmes to address the housing needs, especially of persons in vulnerable situations and affected by poverty.

115. Tánaiste (Deputy Prime Minister) Fitzgerald stressed that the UPR process is for Ireland a real and practical expression of the fact that human rights are not solely of domestic concern, but rather a legitimate and important concern of the international community. Ireland is committed to ongoing improvement in the protection and promotion of human rights and is convinced that all of us can learn and benefit from dialogue with other States.

116. Ireland explained that it is engaged in a consultative process to identify institutional mechanisms for OP-CAT and will ratify as soon as these are agreed and necessary legislation has been enacted. Significant improvements in prison accommodation have been brought about and the practice of 'slopping out' in prisons is being brought to an end.

117. Ireland stated that it is now a country of significant inward migration and many migrants have chosen to become Irish citizens. An important recent innovation has been the introduction of citizenship ceremonies which provides an important symbolic opportunity for the Irish State to welcome new citizens and to celebrate their membership of the nation.

118. The delegation noted that significant progress has been made in advancing the rights of people with capacity difficulties. The Assisted Decision-Making (Capacity) Act 2015 is a comprehensive reform of the law governing people with capacity difficulties.

119. Tánaiste Fitzgerald explained that in Ireland termination of pregnancy is regulated by constitutional and statute law. In 1983 the first of Ireland's referendums on the subject was held. The referendum introduced a new section in Article 40.3 of the Constitution which was to guarantee the right to life of the unborn. A second referendum was held in 1992. The electorate were asked to vote on three proposed amendments to the Constitution. The Twelfth Amendment, which was designed to exclude the risk of suicide as a ground for lawful abortion, was defeated. However, the right to travel and the right to information were accepted. A third referendum on abortion was held in 2002 to remove the threat of suicide as a ground for a lawful abortion and thereby restrict the grounds recognised in the *X* case and this proposal was defeated.

120. Tánaiste Fitzgerald explained that the Protection of Life During Pregnancy Act 2013 regulates access to lawful termination of pregnancy in accordance with the *X* case and the judgment of the European Court of Human Rights in the *A, B and C v Ireland* case. The Act creates procedures which apply to the lawful termination of pregnancy. The objectives of these procedures are, firstly, to ensure that, where lawful termination of pregnancy is under consideration, the right to life of the unborn is respected where practicable, and secondly to ensure that a woman can ascertain by means of a clear process whether she is entitled to medical treatment to which the Act applies.

121. The delegation explained that the Programme for Government commits to establish a Citizen's Assembly to make recommendations on further constitutional changes and the Eight Amendment will be considered as part of this work.

122. The delegation stated that Ireland has the National Sexual Health Strategy that sets out the direction that the Department of Health and the stakeholders, including those that use the services, wish to travel over the next 5 years.

123. The delegation explained that the question of incorporating economic, social and cultural rights into the Constitution has been considered by the Constitutional Convention, which recommended that, in principle, the Constitution should be amended to strengthen the protection of ESC Rights. The recommendation will be referred to the Oireachtas Committee on Housing for consideration. The Government accepted the recommendation from the Constitutional Convention to remove the offence of blasphemy from the Constitution.

124. The delegation stated that in relation to Article 41.2 of the Constitution (which refers to women in the home), the Constitutional Convention's recommendations have been examined by a Task Force. Its report will now inform the consideration by the new Government of this issue.

125. Ireland is introducing 2 weeks paid paternity leave this year.

126. Tánaiste Fitzgerald reported that the gender pay gap, in unadjusted form, stood at 14.4% in Ireland in 2012. These figures compare with an EU average for 2012 of 16.5%. The employment rate for men in 2014 was 73%, up from 68% in 2012. The female employment rate has shown a more modest but still significant increase, from 59.4% in 2012 to 61.2% in 2013. The gender gap in employment rates had almost halved from 16% in 2008 to 9% in 2012, but has widened slightly since then as male employment began to recover relatively rapidly. The introduction of a national minimum wage has led to an improvement in the situation in relation to the gender pay gap.

127. Tánaiste Fitzgerald explained that work is ongoing to foster the advancement of women into decision-making roles and positive action measures aimed at improving the

employment opportunities and economic position of women are in place. A consultation process with a view to putting a new National Women's Strategy in place will commence later in 2016 and will include wide-ranging consultation with civil society interests.

128. The delegation reported that a new Traveller and Roma Inclusion Strategy is being put in place. A comprehensive, 3-phase consultation process is underway. Phase 1 identified key themes for the new Strategy, and Phase 2 identified and agreed high-level objectives under each agreed theme. The final Phase will identify detailed actions to achieve each agreed objective, with timescales, institutional responsibilities and monitoring arrangements.

129. Ireland explained that it has a small Roma population, comprising recent migrants mainly from other EU Member States and their Irish-born children. They have the same rights as any other EU citizens and are fully protected by equality legislation. A Roma Consultative Committee on which members of the Roma community will be represented is being established to ensure that their voices and their issues are heard at the centre of Government.

130. The delegation reported that a Minister of State for Disabilities has been appointed with a seat at the Cabinet table and a mandate to ensure greater coherence in service delivery and a real improvement in the position of people with disabilities. A new Disability Inclusion Strategy is being developed, in collaboration with disability interests themselves and on the basis of a comprehensive, 3-phase consultation process. The final Phase will commence shortly and it is intended that the revised Inclusion Strategy will be in place in 2016.

131. Ireland stated that it is committed to the ratification of the Convention on the Rights of Persons with Disabilities. It is anticipated that the necessary legislation will be published soon and will be enacted to allow for ratification by end-2016. Ireland will sign and ratify the Optional Protocol at the same time as the Convention is ratified.

132. Ireland reported that legislation will be introduced to remove from the statute book the current exemption that allows for underage marriage.

133. The delegation assured the Council that there is no lack of legal certainty in relation to surnames for any children in Ireland.

134. In conclusion, Ireland thanked delegations for their comments and recommendations and committed to submitting a voluntary interim report in 2018/2019.

## II. Conclusions and/or recommendations\*\*

**135. The recommendations formulated during the interactive dialogue have been examined by Ireland and enjoy the support of Ireland:**

- 135.1. **Ensure the ratification of the human rights conventions, recently signed (Romania);**
- 135.2. **Accede to the CRPD and the ICPPED (Sierra Leone);**
- 135.3. **Expedite the process that will lead to the ratification of OP-CAT, as well as the OP-CRPD (Mozambique);**
- 135.4. **Ratify the OP-CRC-SC and the CRPD (Iran (Islamic Republic of));**

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\*\* The conclusions and recommendations have not been edited

- 135.5. **Ratify the CRPD, the OP-CAT and the OP-CRC-SC (Georgia);**
- 135.6. **Ratify the CRPD and the OP-ICESCR (Spain);**
- 135.7. **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) (Portugal);**
- 135.8. **Intensify efforts to ratify Optional Protocol to the Convention against Torture (OP-CAT) to further foster the rights of liberty-deprived persons (Croatia);**
- 135.9. **Take action towards the ratification of the OP-CAT and set up a national prevention mechanism (Bosnia and Herzegovina);**
- 135.10. **Accede to the OP-CAT and establish a national prevention mechanism meeting the guidelines and requirements as set out in this instrument (Netherlands);**
- 135.11. **Establish a national preventive mechanism and prompt ratification of the OP-CAT (Hungary);**
- 135.12. **Without further delay, ratify OP-CAT and initiate the process of establishing a National Preventive Mechanism (Denmark);**
- 135.13. **Ratify the OP-CAT and establish a national preventive mechanism under the Optional Protocol (Bulgaria);**
- 135.14. **Complete as a matter of priority and before its third UPR the process leading to the ratification of the OP-CAT and establish a national preventive mechanism without delay (Czech Republic);**
- 135.15. **Ratify the OP-CAT and set up a national prevention mechanism in the framework of the criteria and safeguards provided by this instrument, as previously recommended (Switzerland);**
- 135.16. **Conclude swiftly the process of the ratification of OP-CAT (Portugal);**
- 135.17. **Ratify the OP-CAT (Poland);**
- 135.18. **Ratify the OP-CAT (Lebanon);**
- 135.19. **Ratify the OP-CAT (Norway);**
- 135.20. **Ratify the OP-CAT (Ukraine);**
- 135.21. **Ratify the OP-CAT (Uruguay);**
- 135.22. **Ratify the OP-CAT (France);**
- 135.23. **Ratify the OP-CAT (Germany);**
- 135.24. **Ratify the OP-CAT (Guatemala);**
- 135.25. **Proceed with the ratification of the OP-CAT (Togo);**
- 135.26. **Accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP-CRC-SC) (Panama);**
- 135.27. **Ratify the OP-CRC-SC (Senegal);**
- 135.28. **Ratify the OP-CRC-SC (Uruguay);**
- 135.29. **Ratify the OP-CRC-SC (Andorra);**

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- 135.30. **Ratify the OP-CRC-SC signed in 2000 (Czech Republic);**
- 135.31. **Ratify the OP-CRC-SC (Finland);**
- 135.32. **Ratify the OP-CRC-SC (France);**
- 135.33. **Ratify the OP-CRC-SC (Guatemala);**
- 135.34. **Proceed with the ratification of the OP-CRC-SC (Togo);**
- 135.35. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) (Morocco);**
- 135.36. **Become a State Party to the ICPPED (Slovakia);**
- 135.37. **Ratify the ICPPED (France);**
- 135.38. **Ratify the ICPPED (Ghana);**
- 135.39. **Proceed with the ratification of the ICPPED (Togo);**
- 135.40. **Ratify the Convention on the Rights of Persons with Disabilities (CRPD) (Pakistan);**
- 135.41. **Ratify the CRPD (Israel);**
- 135.42. **Ratify the CRPD (Montenegro);**
- 135.43. **Ratify the UN CRPD, which Ireland signed on 29 March 2007 (New Zealand);**
- 135.44. **Ratify the CRPD (Ghana);**
- 135.45. **Ratify the CRPD (Poland);**
- 135.46. **Ratify the CRPD (Sudan);**
- 135.47. **Ratify the CRPD (Ukraine);**
- 135.48. **Ratify the CRPD (Uruguay);**
- 135.49. **Ratify the UN CRPD (Bulgaria);**
- 135.50. **Ratify the CRPD (France);**
- 135.51. **Ratify the CRPD (Guatemala);**
- 135.52. **Ratify the CRPD (Italy);**
- 135.53. **Ratify the CRPD (Brazil);**
- 135.54. **Become a State Party of the CRPD (Slovakia);**
- 135.55. **Step up its efforts to ratify the CRPD (Republic of Korea);**
- 135.56. **Ratify promptly the CRPD (Australia);**
- 135.57. **Ratify CRPD as soon as possible (China);**
- 135.58. **Ratify the CRPD without further delay (Germany);**
- 135.59. **Pass the necessary legislation as soon as possible to enable the ratification of CRPD (Hungary);**
- 135.60. **Accelerate the process towards ratification of the CRPD (Philippines);**

- 135.61. **Take concrete steps to ratify the UN CRPD and effectively implement policies and programmes to ensure the full enjoyment of all related rights (Canada);**
- 135.62. **Continue the efforts to ratify the CRPD (Iraq);**
- 135.63. **Finalise the consideration to become a party to the CRPD (Malaysia);**
- 135.64. **Continue making progress towards the ratification of the CRPD (Venezuela (Bolivarian Republic of));**
- 135.65. **Ratify the CRPD and prioritize measures to further strengthen the existing framework, including to increase the meaningful participation of the persons with disabilities in policy making (Indonesia);**
- 135.66. **Accede to the UN CRPD while bringing the Mental Health Act of 2001 into line with the provisions of this Convention (Qatar);**
- 135.67. **Continue to address outstanding barriers to ratification of the CRPD, including legislative changes that need to be undertaken in view of enabling ratification (State of Palestine);**
- 135.68. **Expedite the necessary legislative reforms and set a concrete timeline towards ratification of the CRPD (Thailand);**
- 135.69. **Proceed with the ratification of the CRPD and its Optional Protocol (Togo);**
- 135.70. **Accelerate the ratification of the CRPD to strengthen the protection of persons with disabilities, and to further improve their role in the society (Croatia);**
- 135.71. **Ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Portugal);**
- 135.72. **Ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Andorra);**
- 135.73. **Ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Italy);**
- 135.74. **Finalize the ratification process of the Council of Europe's Istanbul Convention (Turkey);**
- 135.75. **Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in a timely manner (Bosnia and Herzegovina);**
- 135.76. **Strengthen human rights education plans oriented towards women's rights, rights of the child and freedom of religion (Panama);**
- 135.77. **Continue implementing human rights education towards children and women's rights (Timor-Leste);**
- 135.78. **Further continue the implementation of human rights education towards women and children's rights (Greece);**
- 135.79. **Provide effective human rights education and training for enforcement officials, including prison guards, and take appropriate actions against human rights violations committed by public actors (Malaysia);**

- 135.80. Continue human rights education programmes, including in relation to the prevention of genocide and crimes against humanity through the studies of those crimes committed in the past (Armenia);
- 135.81. Implement public awareness campaigns to promote tolerance and respect for cultural diversity (United Arab Emirates);
- 135.82. Submit its two overdue reports to the Committee on the Elimination of Racial Discrimination (Sierra Leone);
- 135.83. Amend the provisions of the Law on the Defender of the Minor, that impedes the Ombudsman from investigating the claims of children that find themselves in a situation of irregular migration (Honduras);
- 135.84. Provide the Child and Family Agency with adequate resources to be able to meet its targets and effectively implement the Children First Act (Slovakia);
- 135.85. Continue implementing the National Strategy on Children and Young People's participation in Decision making 2015-2020 (Sudan);
- 135.86. Put an end to corporal punishment in all settings (Honduras);
- 135.87. Guarantee the closure of the Saint Patrick's Institution and the effective implementation of the Children (Amendment) Act of 2015 and the Prisons Act of 2015 (Israel);
- 135.88. Eliminate all exceptions permitting the marriage of minors under 18 (Honduras);
- 135.89. Remove all exceptions that allow marriage under the age of 18 years (Egypt);
- 135.90. Ensure that the rights of the child are fully respected in accordance with the Convention on the Rights of the Child, in particular its Article 20 when deciding on appointment of a guardian or trustee (Latvia);
- 135.91. Continue to take actions to address the issue of gender pay gap, improve the access to decent work for marginalized women, and ensure adequate social protection system for women in vulnerable situations (Malaysia);
- 135.92. Continue to make efforts to ensure women's participation in political life and in decision making (Pakistan);
- 135.93. Adopt effective measures to increase the representation of women in the public and private sectors, especially in decision-making posts (Panama);
- 135.94. Scale up effective measures to further increase women's representation and their meaningful participation in decision making level in the public and private sectors (Indonesia);
- 135.95. Take all measures to effectively combat all forms of violence and discrimination against women (France);
- 135.96. Strengthen measures to combat domestic and sexual violence against women (India);
- 135.97. Strengthen efforts to combat and prevent domestic and sexual violence against women (Azerbaijan);

- 135.98. Undertake the necessary steps to strengthen its response to domestic violence as recommended by the Committee on Economic, Social and Cultural Rights (Thailand);
- 135.99. Speed up the process of approval of the new Domestic Violence Bill (Israel);
- 135.100. Continue efforts to finalize and then, of course, adopt a Domestic Violence Act (Maldives);
- 135.101. Introduce a domestic violence bill to address domestic and sexual violence against women (Ghana);
- 135.102. Adopt and implement the Domestic Violence Bill (Republic of Moldova);
- 135.103. Renew the national plan of action against racism or elaborate a new one, always in collaboration with civil society (Spain);
- 135.104. Reinforce the policies for the protection against racism, renewing the National Action Plan against Racism (2005-2008) (Holy See);
- 135.105. Conduct more active policy against racial discrimination, including putting in place a robust mechanism against racism (Kyrgyzstan);
- 135.106. Put in place a robust mechanism in order to put an end to racism, racial discrimination and related intolerance, especially against Muslim people and people of African origin (Iran (Islamic Republic of));
- 135.107. Establish a robust mechanism to monitor all incidents of racism and implement measures to combat them more effectively (Cuba);
- 135.108. Continue to deepen awareness raising measures against racism and xenophobia, particularly with regard to migrants and refugees (Argentina);
- 135.109. Combat racism and all forms of discrimination through education and awareness-raising initiatives and follow-up to cases of racism at the national level (Bolivia (Plurinational State of));
- 135.110. Complete the processes it is undertaking regarding anti-racism (Kenya);
- 135.111. Pursue efforts to combat racism (Morocco);
- 135.112. Continue its efforts to combat racism and xenophobia incidents (Lebanon);
- 135.113. Ensure the full implementation of its national legislation, with a view to combating racism and xenophobia (Romania);
- 135.114. Have further legal procedures to combat racial discrimination and develop a plan to combat racism, as recommended by the Committee on the Rights of the Child (Bahrain);
- 135.115. Combat hate speech and prosecute perpetrators of xenophobic acts (Pakistan);
- 135.116. Ensure accountability for hate crimes (Israel);
- 135.117. Take measures to eliminate racial discrimination and combat hate crime (China);

- 135.118. **Strengthen measures to counter the use of racial discrimination and Islamophobia discourse in politics and in the media (United Arab Emirates);**
- 135.119. **Take further steps to address discrimination of LGBTI persons in access to goods, employment and services, including healthcare (Denmark);**
- 135.120. **Investigate all cases of abuse of office by the officials of the penitentiary institutions (Russian Federation);**
- 135.121. **Continue with its efforts to bring incarceration facilities into line with international standards, especially regarding overcrowding, cell sanitation and the separation of young prisoners (Holy See);**
- 135.122. **Improve prison conditions, including addressing overcrowding; to investigate all cases of torture and ill-treatment by prison staff in an impartial manner and prosecute those responsible (Azerbaijan);**
- 135.123. **Continue to improve the living conditions and the treatment of detainees and address prison overcrowding (China);**
- 135.124. **Adopt the necessary measures to ensure the reduction of overcrowding and the improvement of prison conditions (Cuba);**
- 135.125. **Ensure complete separation of remand and sentenced prisoners, juvenile and adult prisoners and detained immigrants (Egypt);**
- 135.126. **Continue its efforts, at national and international levels, towards the protection and promotion of the civil society space (Armenia);**
- 135.127. **Continue to promote pluralism (Bangladesh);**
- 135.128. **Continue to take effective measures to safeguard the rights and status of the unemployed and vulnerable groups, through focused social assistance and income support (Sri Lanka);**
- 135.129. **Conduct targeted/focused policy of social support to the population in need, especially children (Belarus);**
- 135.130. **Take the necessary steps in order to increase the availability of social housing and emergency housing support and to adopt appropriate measures to solve the long-term needs (Turkey);**
- 135.131. **Adopt measures to decrease the number of homeless persons, including through the availability of social housing (Portugal);**
- 135.132. **Take all necessary legislative and policy measures to provide access to affordable housing with a view to ending long-term involuntary homelessness (Singapore);**
- 135.133. **Continue with its efforts to guarantee the Government's commitment to a housing- led approach to end long-term involuntary homelessness (Holy See);**
- 135.134. **Continue with efforts to implement necessary measures with a view to end long-term involuntary homelessness (Montenegro);**
- 135.135. **Take measures to strengthen support institutions for homeless persons, including pregnant women left without housing (Russian Federation);**
- 135.136. **Conduct consultations involving all stakeholders, including civil society organisations, in order to examine whether Article 40.3.3 of the**

Constitution could be revised and the legal framework related to abortion broadened (Switzerland);

135.137. Make sure all women and young girls have easy access to information on crisis pregnancy options by health-providers (Sweden);

135.138. Wider availability of multi-denominational and non-denominational schools to better cater to the multi-cultural society in Ireland today (India);

135.139. Establish a system providing children and their parents the real opportunity to choose from among religious, multi-denominational or non-denominational types of schooling and curricula (Czech Republic);

135.140. Ensure that all children have the option to attend a non-denominational school at no extra cost (Slovenia);

135.141. Step up efforts to promote to ensure equal opportunities for all children to quality education (Philippines);

135.142. Step up efforts towards a more inclusive education system, especially by focusing on special education needs (Turkey);

135.143. Continue to improve employment opportunities and remove barriers to employment for persons with disabilities (Singapore);

135.144. Continue to strengthen the basic rights and non-discrimination of the Roma and Travellers (Chile);

135.145. Adopt a progressive Traveller Roma inclusion strategy with clear goals; indicators; timeframes; and budget in consultation with affected groups (India);

135.146. Activate the policies of integration of Travellers and Roma in all social, economic, cultural, political, educational and other spheres (Lebanon);

135.147. Give special emphasis to employment, access to health care and the right to housing in the application of the national strategy on the inclusion of Travellers and Roma (Spain);

135.148. Apply international standards relating to the treatment of refugees and asylum seekers, provide them with adequate services and speed up the processing of their application (Qatar);

135.149. Establish measures to respond more effectively to requests for refuge (Bolivia (Plurinational State of));

135.150. Continue its efforts to adopt the National Action Plan to Prevent and Combat Human Trafficking (Sudan);

135.151. Speed up the adoption of a national plan of action to prevent and combat trafficking in persons (Belarus);

135.152. Continue to increase development aid to reach the target of 0.7% GDP as this will increase the ability of aid recipients to achieve the right to development and protect and promote human rights (Kenya).

**136. The following recommendations will be examined by Ireland which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council in September 2016:**

136.1. Consider ratifying those international human rights instruments to which it is not yet a party (Bolivia (Plurinational State of));

- 136.2. **Accede to OP-CRC-SC, ICRMW, CRPD, ICPPED and the Convention Against Discrimination in Education (Honduras);**
- 136.3. **Ratify the CRPD, the ICRMW and the OP-CRC-SC, as a matter of priority (Egypt);**
- 136.4. **Ratify CRPD, OP-CAT and ICRMW (Azerbaijan);**
- 136.5. **Ratify the CRPD, OP-CAT and the ILO Convention 169 (Paraguay);**
- 136.6. **Accede to the main international human rights instruments to which the country is not yet a party, in particular the ICPPED (Argentina);**
- 136.7. **Ratify the OP-ICESCR and accept the competence of the Committee as regards the inquiry procedure and inter-state communications (Finland);**
- 136.8. **Further accelerate the efforts to strengthen the legal framework to protect the rights of migrants, including by considering to ratify the ICRMW (Indonesia);**
- 136.9. **Ratify as soon as possible the UN CRPD, without any reservation (Sweden);**
- 136.10. **Ratify the UN CRPD and fully implement the Education for Persons with Special Educational Needs Act 2004 as soon as possible (United Kingdom of Great Britain and Northern Ireland);**
- 136.11. **Repeal Articles 42.1 and 40.3.3 of the Constitution (Slovenia);**
- 136.12. **Take additional measures aimed at achieving the gender equality, including amendment to the Constitution on the role and status of women in Irish society (Kyrgyzstan);**
- 136.13. **Amend article 41(2) of the Constitution on the role and status of women in order to render its provisions gender-equal (Turkey);**
- 136.14. **Amend article 41(2) of the Constitution on the role and status of women by moving to a more gender-neutral wording of the article (Iceland);**
- 136.15. **Further strengthen women's rights and review Articles 40 and 41 of the Irish constitution with a view to abandon formulations that potentially promote gender discrimination and to bring Ireland's laws on abortion into compliance with international human rights standards in law and in practice (Germany);**
- 136.16. **Establish a Constitutional Convention on article 40.3.3 of the Constitution with the aim to remove all restrictive legislation on abortion (Netherlands);**
- 136.17. **Revise its legislation on abortion, including its Constitution, to provide for additional exceptions in cases of rape, incest or serious risks to the health of the mother, building on the recommendation from the UN Human Rights Committee (Norway);**
- 136.18. **Repeal legislation that criminalizes abortion and eliminate all punitive measures, in particular Article 40.3.3 of the Irish Constitution (Iceland);**
- 136.19. **Take forward the democratic process of repealing the Eighth Amendment of the Irish Constitution with a clear timeline, and take all necessary steps to decriminalise abortion in all circumstances, in accordance with the recommendations of the Human Rights Committee, the Committee on**

**Economic, Social and Cultural Rights and the Committee on the Rights of the Child (Denmark);**

136.20. **Consider creating a dedicated overarching Parliamentary Committee on Human Rights and Equality (United Kingdom of Great Britain and Northern Ireland);**

136.21. **Strengthen the consultation mechanism, especially in terms of economic, social and cultural rights (Poland);**

136.22. **Adopt a National Human Rights Action Plan and continue consultations towards this end with stakeholders (Kenya);**

136.23. **Adopt a national plan of action on human rights (South Africa);**

136.24. **Adopt a comprehensive national human rights action plan (Sudan);**

136.25. **Encourage the development of a National Action Plan on human rights (Greece);**

136.26. **Undertake measures to eliminate stigmatization and discrimination against children born out of wedlock by providing legal certainty in respect of their family name (Namibia);**

136.27. **Reinstate the age of criminal responsibility of 14 years of age as prescribed in the Children's Act (Botswana);**

136.28. **Raise the age of criminal responsibility to 18 years for all types of offenses (Haiti);**

136.29. **Ratify the Convention on the Rights of Persons with Disabilities and ratify the Optional Protocol to CRPD and adopt a legislation on gender pay equity and abolish religious discrimination in the schools (Saudi Arabia);**

136.30. **Adopt a comprehensive anti-discrimination legislation that includes all grounds set out in the ICESCR (India);**

136.31. **Adopt comprehensive anti-discrimination legislation that includes all the grounds for discrimination (Israel);**

136.32. **Adopt comprehensive anti-discrimination legislation that includes all the grounds for discrimination (South Africa);**

136.33. **Close the gender pay gap (Algeria);**

136.34. **Take effective measures to increase women's representation in decision-making positions and close the pay gap (Bangladesh);**

136.35. **Take effective measures to increase women's representation in decision-making positions in all areas, close the gender pay gap and eliminate strong gender role stereotypes and ensure that all women workers benefit from the maternity benefits scheme (Namibia);**

136.36. **Introduce a domestic violence bill, improve data collection on domestic violence and strengthen support services, including shelters and legal aid, for victims (Lithuania);**

136.37. **Adopt the draft law on domestic and sexual violence against women, and strengthen support services in shelters and legal assistance to the victims (Uruguay);**

136.38. **Finalise the adoption of the Domestic Violence Bill and ensure that perpetrators of domestic violence are held to account (Botswana);**

- 136.39. **Provide shelters and legal aid to victims of domestic violence, and submit a draft law on domestic violence (Bahrain);**
- 136.40. **Collect accurate statistics of cases of domestic violence against women, as well as strengthen support services to victims of domestic violence, including shelters and legal aid services (Russian Federation);**
- 136.41. **Improve protection of victims of domestic violence, including by providing with shelter and legal aid (Republic of Moldova);**
- 136.42. **Continue to strengthen policies and programmes to combat domestic and sexual violence against women, including a system of psychological, legal and physical support for the victims (Chile);**
- 136.43. **Adopt immediately legislation that prohibits racial discrimination, as previously recommended (Mexico);**
- 136.44. **Step up measures to combat acts of racism by the law enforcement bodies, including against Travellers (Russian Federation);**
- 136.45. **Establish acts with racist motivation as a criminal offences (Spain);**
- 136.46. **Take effective steps to address racism and xenophobia and incorporate the provisions of the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) into its domestic legislation, to raise awareness and promote tolerance in society and to ensure that violent acts, discrimination and hate speech are systemically investigated and the alleged perpetrators prosecuted (Azerbaijan);**
- 136.47. **Develop a legislation that sets the line between freedom of expression and hate speech and setup a strong mechanism to monitor all manifestations of intolerance, racism, xenophobia especially against Muslims (Saudi Arabia);**
- 136.48. **Continue measures to protect the rights of migrant workers, including combatting racism, xenophobia and religious intolerance, and as further gesture of its commitment, consider ratifying the International Convention on the Rights of Migrant Workers and Members of Their Families (Sri Lanka);**
- 136.49. **Continue legislating so that there is no discrimination against LGBTI persons in the field of pensions (Spain);**
- 136.50. **Implement the recommendations arising from the Office of the Inspector of Prisons' review of the Irish Prison Service (Australia);**
- 136.51. **Conduct comprehensive investigation related to reports by human rights non-governmental organisations about abuses in child care institutions and homes for mothers and children, as well as practices of forced labour in so-called 'Magdalene laundries'(Russian Federation);**
- 136.52. **Provide protection of the family as the natural and fundamental unit of the society (Egypt);**
- 136.53. **Repeal the constitutional and legislative provisions criminalizing the offense of blasphemy, these provisions could constitute an excessive limitation to the freedom of expression (France);**
- 136.54. **Take necessary steps to amend its legislation on freedom of expression and remove prohibition of blasphemy in line with ICCPR article 19 and Human Rights Committee's General Comment 34, and the Venice Commission's recommendation (Sweden);**

- 136.55. Continue consolidating and increasing its national social inclusion programmes (Venezuela (Bolivarian Republic of));
- 136.56. Implement and support the particular government programmes of social integration and community activation (Iraq);
- 136.57. Continue strengthening its sound social policies in order to improve the quality of life of its people with an emphasis on vulnerable groups, in particular ethnic, racial and cultural minorities (Venezuela (Bolivarian Republic of));
- 136.58. Launch measures to promote and protect the rights of peasants and other people who work in rural areas (Bolivia (Plurinational State of));
- 136.59. Expedite the adoption of a national action plan on food security and nutrition (Algeria);
- 136.60. Develop and strengthen financially the state-sponsored legal aid framework, so that lawyers avoid cases of evictions from social housing (Haiti);
- 136.61. Strengthen the policies of supplementary payments of income and housing assistance, in order to avoid more families being unable to pay their mortgages (Chile);
- 136.62. Set up an inclusive system for access to quality health care for all social categories, in particular disadvantaged and marginalized groups, in consultation with concerned communities and stakeholders (Haiti);
- 136.63. Put into effect its undertaking of previous commitment to implement this year, in strengthening the free health care sector to include all children under the age of twelve (Libya);
- 136.64. Ensure availability of safe abortions, at a minimum in cases where the pregnancy is the result of rape or incest and in cases of severe and fatal foetal impairment (Iceland);
- 136.65. Take all necessary steps to revise the Protection of Life during Pregnancy Act 2013 in line with International Human Rights standards (India);
- 136.66. Amend the Protection of Life During Pregnancy Act 2013 that the women interests and health are better protected, especially in instances where the pregnancy resulted from rape or incest, or in cases of severe foetal impairment (Lithuania);
- 136.67. Consider revising its relevant legislation on abortion in line with international human rights standards on sexual and reproductive health and rights (Republic of Korea);
- 136.68. Broaden through an inclusive public debate the access to abortion for pregnant women, in particular in cases of threat to health, rape and incest (Czech Republic);
- 136.69. Take the necessary steps aimed at revising the relevant legislation with a view to decriminalize abortion within reasonable gestational limits (The former Yugoslav Republic of Macedonia);
- 136.70. Ensure the full right for women to abortion and implement the decisions of the European Court of Human Rights regarding this right (Slovakia);

- 136.71. Take necessary steps to revise its legislation on abortion and provide for clear exceptions, in line with international human rights law and standards, so as to ensure the right to abortion in cases of rape and incest, as well as cases entailing serious risks to the health of the mother or fatal foetal abnormality (Sweden);
- 136.72. Decriminalize abortion in all circumstances and, as a minimum, ensure access to safe abortion also in cases of rape, incest, serious risks to the health of the mother and fatal foetal abnormality (Slovenia);
- 136.73. Review the law on abortion to expand the circumstances in which it can be carried out (Uruguay);
- 136.74. Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is a part of the mandatory school curricula and targeted at adolescents (Lithuania);
- 136.75. Ensure that the new system of universal health care guarantees availability and access to services to boys and girls and contraception methods to adolescents, while allowing access to these services in general without discrimination on any grounds (Mexico);
- 136.76. Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys, with special attention on preventing early pregnancy and sexually transmitted infections (New Zealand);
- 136.77. Identify and address gaps in reproductive health legislation to ensure the protection of women's sexual and reproductive health and rights (United States of America);
- 136.78. Take all necessary measures to ensure the full respect of sexual and reproductive rights (France);
- 136.79. Protect and promote reproductive rights without any discrimination, recognising reproductive rights include the right to the highest attainable standard of sexual and reproductive health, the right of all to decide freely and responsibly the number, spacing and timing of their children, as well as decide on matters related to their sexuality, and to have the information and means to do so free from discrimination, violence or coercion (Canada);
- 136.80. Review and amend laws, as appropriate, to ensure that publically-funded schools provide equal access to education for all, irrespective of one's faith or religious affiliation (United States of America);
- 136.81. Undertake thorough consultations with persons with disabilities, representatives and labour organisations, and civil society prior to entering any reservation to Article 27 of the CRPD upon ratification, with respect to reasonable accommodation (Canada);
- 136.82. Achieve the implementation of the national strategy for persons with disabilities and introduce a legal regime of subsidized transport for persons with disabilities (Haiti);
- 136.83. Conduct and finalize a timely review of the request for recognition of the Travellers as an ethnic group (United States of America);
- 136.84. Take concrete measures for the issuance of medical cards in Traveller and Roma communities, to guarantee that such children enjoy the

same access to and quality of health-care services as others (Iran (Islamic Republic of));

136.85. Strengthen measures to eliminate discrimination against Roma and children on the basis of religion in health and education sectors (Bangladesh);

136.86. Introduce measures to improve the living standards of Travellers in society and ensure the legislation in place does not hinder their nomadic customs and practices (Turkey);

136.87. Continue giving the broadest possible scope, flexibility and coverage to its immigration policy (Venezuela (Bolivarian Republic of));

136.88. Ensure that the legislation that provides individual consideration of the status of refugee includes the provision of sufficient resources for its implementation in order to avoid delays in the effective determination of the requests for the concession of refugee status (Mexico);

136.89. Improve the protection of refugees, migrants and asylum seekers and improve their living conditions and access to social security and guarantee other human rights (China);

136.90. Ensure family reunification and the conditions of the reception of refugees and asylum-seekers, in the implementation of the Law on International Protection, are in accordance with international law (Guatemala);

136.91. Accelerate the entry into force of the new programme for the protection of refugees and ensure that it guarantees the protection of the best interest of the child and fully complies with international standards regarding unaccompanied migrant children and family reunification (Mexico);

136.92. Amend the General Scheme of the International Protection Bill to address family reunification, best interests of the child and the legal framework of reception conditions (Egypt);

136.93. Address concerns about family reunification and the best interests of the child in its legislation on refugees (Brazil);

136.94. Modify the administrative provisions on immigration to protect the victims of trafficking of persons and integrate the prevention of trafficking in persons into the policies for asylum seekers (Honduras);

136.95. Continue efforts to pass legislation to combat human trafficking in the form of sham marriages (Latvia);

136.96. Take steps to move towards increased renewable energy production, in-line with their pledges on Climate Action (Maldives);

136.97. Ensure that its policies, legislation, regulations and enforcement measures effectively serve to prevent and address the heightened risk of business involvement in abuses in conflict situations, which includes situations of foreign occupation (State of Palestine).

137. The recommendations below did not enjoy the support of Ireland and would thus be noted:

137.1. Withdraw its reservation on pertinent articles of the ICERD, ICESCR, ICCPR and OP to the CRC on armed conflict (South Africa);

- 137.2. **Accede to the International Convention on the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Turkey);**
- 137.3. **Accede to the ICRMW (Chile);**
- 137.4. **Consider ratifying the ICRMW (Philippines);**
- 137.5. **Ratify the ICRMW (Morocco);**
- 137.6. **Ratify the ICRMW (Senegal);**
- 137.7. **Ratify the ICRMW (Timor-Leste);**
- 137.8. **Ratify the ICRMW (Algeria);**
- 137.9. **Ratify the ICRMW (Ghana);**
- 137.10. **Ratify the ICRMW (Guatemala);**
- 137.11. **Avoid maintaining special criminal courts in its penal legislation (Paraguay);**
- 137.12. **Study the possibility of mitigating the negative impact of budget cuts on access to health and an adequate standard of living (Paraguay);**
- 137.13. **Consider establishing an adequate policy for a universal basic income for all its citizens (Haiti).**

**138. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

### Composition of the delegation

The delegation of Ireland was headed by Ms. Frances Fitzgerald, Tánaiste and Minister of Justice and Equality, T.D., and composed of the following members:

- H.E. Ambassador Patricia O' Brien, Permanent Representative of Ireland to the United Nations Office, Geneva;
- Ms. Marion Mannion, Special Adviser to the Minister, Department of Justice and Equality, Dublin, Ireland;
- Mr. Stephen O'Shea, Special Adviser to the Minister, Department of Justice and Equality, Dublin, Ireland;
- Mr. Chris Quattrociocchi, Private Secretary to the Minister, Department of Justice and Equality, Dublin, Ireland;
- Ms. Carol Baxter, Assistant Secretary, Head of Asylum Services, Integration and Equality, Department of Justice and Equality, Dublin, Ireland;
- Ms. Michelle Shannon, Director, Youth Justice, Adoption and Legal Division, Department of Children and Youth Affairs, Dublin, Ireland;
- Mr. Deaglán Ó Briain, Principal Officer, Equality Division, Department of Justice and Equality, Dublin, Ireland;
- Mr. Eugene Banks, Principal Officer, Reception and Integration Agency, Department of Justice and Equality, Dublin, Ireland;
- Mr. Brian Kenny, Principal Officer, Homelessness and Housing Inclusion Supports, Department of Environment, Community and Local Government, Dublin, Ireland;
- Ms. Mary O'Sullivan, Principal Officer, EU / International Division, Department of Social Protection, Dublin, Ireland;
- Mr. Gavan O'Leary, Principal Officer, Central Policy Unit, Department of Education and Skills, Dublin, Ireland;
- Mr. Kieran Smyth, Principal Officer, International Division, Department of Health, Dublin, Ireland;
- Ms. Geraldine Luddy, Principal Officer, Tobacco and Alcohol Unit, Department of Health, Dublin, Ireland;
- Ms. Brídín O'Donoghue, Legal Counsellor, Department of Foreign Affairs and Trade, Dublin, Ireland;
- Mr. Niall Colgan, Press Officer, Department of Justice and Equality, Dublin, Ireland;
- Ms. Nuala Ní Mhuircheartaigh, Deputy Permanent Representative (Human Rights) of Ireland to the United Nations, Geneva (Delegate);
- Ms. Caroline Phelan, Deputy Director of Human Rights Unit, Department of Foreign Affairs and Trade, Dublin, Ireland;
- Ms. Layla de Cogan Chin, Assistant Principal, Equality Division, Department of Justice and Equality, Dublin, Ireland;

- Ms Janet Lacey, Assistant Principal, Restorative Justice Implementation Unit, Department of Justice and Equality, Dublin, Ireland;
  - Ms. Sarah Rose Flynn, Assistant Principal, International Division, Department of Health, Dublin, Ireland;
  - Ms. Caroline Sellars, Administrative Officer, Equality Division, Department of Justice and Equality, Dublin, Ireland;
  - Ms. Theodora Castan, Attaché, Permanent Representation of Ireland to the United Nations, Geneva (Delegate);
  - Ms. Liath Vaughan, Intern, Equality Division, Department of Justice and Equality, Dublin, Ireland.
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