

Follow-up to Ireland's third examination under the International Covenant on Economic, Social and Cultural Rights

In June 2015, the United Nation's (UN) Committee on Economic, Social and Cultural Rights assessed Ireland's performance in protecting basic human rights such as the right to housing, social security, decent work, education and health over the past thirteen years. The UN Committee on Economic, Social and Cultural Rights (the Committee) monitors States Parties' compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR), one of ten core international human rights treaties. Ireland ratified ICESCR in 1989 and June's review marked Ireland's third examination by the Committee.

FLAC coordinated the civil society response to the Committee through two reports, [Our Voice, Our Rights](#) published in October 2014 and [Our Voice, Our Rights: An Update](#) published in May 2015. Following Ireland's examination in Geneva, the Committee issued a strong set of [Concluding Observations](#), which called for state action across a range of policy areas. The recommendations of the Committee in large part reflected the concerns expressed in the parallel reports coordinated by FLAC. Now is the time to call on the government to realise and to implement the Committee's recommendations.

Successes arising from the ICESCR examination process:

Almost six months on, we have seen some progress in terms of advancing the implementation of the Committee's recommendations. In line with the recommendations of the Committee, Budget 2016 saw undertakings to introduce statutory paternity leave, to expand affordable public childcare services and to increase the minimum wage in accordance with the recommendation of the Low Pay Commission. The government has also enacted legislation on private rent control and adopted the International Protection Bill as recommended by the Committee. Nevertheless, much more remains to be done to ensure full implementation of the Committee's recommendations.

Successes arising from other UN Treaty Body examinations and subsequent campaigns:

The Concluding Observations of the Committee, while not binding on the government, are persuasive. In combination with other strategies, civil society organisations play a vital role in ensuring the effective implementation of the recommendations of UN Treaty Bodies. Prior experience has shown that where pressure is applied by civil society, recommendations from UN Treaty Bodies can bring about positive change in the field of human rights.

For example, children's rights organisations consistently referred to the recommendations of the UN Committee on the Rights of the Child in their successful campaign to have corporal punishment in all settings abolished. Similarly, FLAC repeatedly alluded to the Concluding Observations of the Human Rights Committee in its campaign for legal recognition of transgender people. Only a week after the UN Committee against Torture called on Ireland to investigate alleged human rights abuses in the Magdalene Laundries, the government announced the creation of an inter-departmental committee to clarify the extent of the State's involvement in the Laundries. These examples clearly show that shining an international spotlight on domestic human rights issues can effect positive change.

Now is the time to progress the implementation of the recommendations of the UN Committee on Economic, Social and Cultural Rights. What more can civil society do?

- In your organisations' general election manifestos, call on political parties and candidates to advance the implementation of the Committee's recommendations;
- Bring the recommendations of the Committee to the attention of politicians and general election candidates in one-to-one discussions;
- Raise awareness of the Committee's recommendations through media work;
- Submit parliamentary questions requesting updates on progress made in implementing the Committee's recommendations;
- Draw on the Committee's recommendations to support your advocacy work in submissions to government;
- Include the Committee's recommendations in your research reports to support your arguments;
- Disseminate the recommendations of the Committee widely among your networks;
- Lobby the government to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which will provide individuals with a remedy at the international level if their economic, social and cultural rights are not upheld at the national level.

The recommendations of the Committee will also be put to other uses. They will form part of Ireland's second examination under the Universal Periodic Review (UPR) mechanism, expected to take place in May 2016. The UPR itself is based on three documents, one of which is a compilation of UN material compiled by the Office of the UN High Commissioner for Human Rights. Some of the issues identified by the Committee will be reflected in this document, and UN Member States will take it into account when formulating UPR recommendations for Ireland. FLAC also referred to the Committee's recommendations in its own [UPR submission](#).

Furthermore, UN Special Procedures mandate holders – independent human rights experts with responsibilities to report on specific human rights topics or countries such as the Special Rapporteurs on Extreme Poverty, on Food, on Water, on Housing - will take the recommendations of the Committee into account when conducting future country visits to Ireland.

Finally, Treaty Bodies may have regard to the recommendations of the UN Committee on Economic, Social and Cultural Rights which come within their scope when examining Ireland under other international human rights treaties. Ireland was reviewed by the UN Committee on the Rights of the Child in January 2016 and is expected to be reviewed by the UN Committee against Torture and the UN Committee on the Elimination of Discrimination against Women later in 2016 or 2017.

Links to documentation and information relevant to the ICESCR process are available below:

1. [Irish Government report to the Committee](#) (2012)
2. [UN Committee's List of Issues](#) (2014)
3. [Irish Government response to the List of Issues](#) (2015)
4. [Supplementary information provided by Irish Government to UN Committee following ICESCR examination](#) (June 2015)
5. [Other civil society submissions to the Committee](#) (2014-2015)
6. [A special ICESCR reporting edition of *FLAC News*, which contains further information on the Committee's review](#)
7. More information on the ICESCR reporting process, including the two civil society reports and a liveblog from the examination in June, is available on the [Our Voice, Our Rights website](#)