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Ireland must amend its harsh abortion law, further protect the rights of refugees and asylum-seekers, and ratify outstanding international human rights treaties

Human Rights Council adopts Universal Periodic Review outcome on Ireland

Amnesty International regrets Ireland's rejection of 16 of the 17 recommendations relating to its harsh abortion law.¹ The reason given is that Ireland's Constitution may only be amended by popular referendum.² This referendum must urgently be held.

Under Ireland's Constitution, abortion is only lawful in life-threatening situations, with a potential prison sentence of 14 years for women or health professionals who have or perform abortions outside this narrow ground. This is in direct contravention of international human rights standards.

The Government's proposed Citizens' Assembly, mandated to make recommendations to Parliament on abortion, must be a meaningful step towards a constitutional referendum and legal reform, with women and girls' health and human rights respected and fulfilled.

Amnesty International welcomes Ireland's full or partial acceptance of recommendations to speed up the processing of refugee status applications and to provide adequate conditions and services for asylum seekers.³ Amnesty International urges Ireland to expedite reforms of its "direct provision" accommodation which is unsuitable for long-stay residence, especially for families, children and victims of torture.

It is disappointing that Ireland considers the 2013 report of its 'McAleese inquiry'⁴ "comprehensive" of all alleged past abuses in its Magdalene Laundries. This is contrary to the findings of several UN human rights treaty bodies.⁵

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Ireland*, A/HRC/33/17, 18 July 2016, recommendations 135.136 (Switzerland), 136.11 (Slovenia), 136.15 (Germany), 136.16 (Netherlands), 136.17 (Norway), 136.18 (Iceland), 136.19 (Denmark), 136.64 (Iceland), 136.65 (India), 136.66 (Lithuania), 136.67 (Republic of Korea), 136.68 (Czech Republic), 136.69 (The former Yugoslav Republic of Macedonia), 136.70 (Slovakia), 136.71 (Sweden), 136.72 (Slovenia), 136.73 (Uruguay). Ireland accepted only recommendation 135.136 (Switzerland).

² Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Ireland*, Addendum, 20 September 2016, A/HRC/33/17/Add.1, recommendation 136.11.

³ A/HRC/33/17/Add.1, recommendations 135.148 (Qatar); 135.149 (Bolivia, Plurinational State of), 136.89 (China), 136.90 (Guatemala).

⁴ "Inter-Departmental Committee to establish the facts of State involvement with the Magdalene Laundries".

⁵ UN Committee Against Torture: Letter from Rapporteur for Follow-up on Concluding Observations, 22 May 2013, cc/jmnf/jli/follow-up/CAT at

<http://www2.ohchr.org/english/bodies/cat/docs/followup/IrelandFurtherInfo22May2013.pdf>; Un Human Rights Committee: Concluding observations on the fourth periodic report of Ireland, 19 August 2014, CCPR/C/IRL/CO/4; UN Committee on Economic, Social and Cultural Rights: Concluding observations on the third periodic report of Ireland, 8 July 2015, E/C.12/IRL/CO/3.

Amnesty International welcomes Ireland's support of recommendations to ratify outstanding human rights treaties. The organization notes that steps are underway to legislate domestically in order to ratify the Convention on the Rights of Persons with Disabilities and the Istanbul Convention.⁶ Amnesty International urges that these be ratified without further delay and without reservations.

It is regrettable that Ireland has not begun enacting the legislation necessary to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, despite having signed it in 2007. Ratifying this Convention was among Ireland's pledges when seeking election to the UN Human Rights Council in 2012.⁷

The organization further urges Ireland to ensure access to justice for all human rights by moving expeditiously toward ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which it signed in 2012.

Amnesty International encourages Ireland to set timeframes and establish a monitoring mechanism for the implementation of the recommendations accepted in this review.

Amnesty International also welcomes Ireland's commitment to again submit a mid-term report to the Council.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Ireland on 23 September 2016 during its 33rd session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Ireland: <https://www.amnesty.org/en/documents/eur29/3504/2015/en/>

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⁶ The Council of Europe Convention on Violence against Women and Domestic Violence.

⁷ Annex to letter dated 13 April 2012 from the Permanent Representative of Ireland to the United Nations addressed to the President of the General Assembly, A/67/80.