**CESCR Draft General Comment on Land and Economic, Social and Cultural Rights**

**Submission of Ireland**

**August 2021**

1. Ireland expresses its thanks to the United Nations Committee on Economic, Social and Cultural Rights for its invitation to submit written contributions on the draft General Comment on Land and Economic, Social and Cultural Rights.
2. Ireland is a longstanding party to the *International Covenant on Economic, Social and Cultural Rights* (the Covenant), and is firmly committed to upholding the Covenant’s obligations.
3. Ireland appreciates the Committee’s work in preparing the draft General Comment and its role in ‘assisting States parties in fulfilling their reporting obligations’. Ireland therefore welcomes the constructive engagement between United Nations Treaty Bodies and States Parties in the preparation of such General Comments.
4. Ireland welcomes this opportunity to submit its observations on the Committee’s draft General Comment on Land and Economic, Social and Cultural Rights. At this stage Ireland limits its comments to a number of general observations and specific comments on several issues addressed in the draft General Comment. Where Ireland has not provided specific comments on issues raised in the draft General Comment, this should not be interpreted as agreement or otherwise with its substance.
5. Ireland believes that the draft General Comment would benefit from further clarification in the upcoming revision, in particular setting out the legal basis for the Committee’s interpretation of State’s obligations referenced therein and links to the provisions of the Covenant. Ireland therefore suggests that the Committee consider further the sources relied upon and recommendations or obligations contained therein, and provide further information in this regard in the revised text of the draft General Comment.
6. Ireland notes that at paragraph 7 of the draft General Comment, the Committee “recognizes and emphasizes the importance of ecological concerns when it comes to land, including the preservation of biodiversity, and conservation, preservation, protection and restoration of land to maintain its agroecological services”. Ireland notes the relevance of the UN Convention on Biological Diversity (which Ireland is a party to) in this context, in particular Article 10 thereof. The Convention on Biological Diversity addresses the sustainable use and management of lands, particularly those with natural resources, which should be encouraged where possible through collaborative means in ways to reduce impacts on biological diversity and the environment whilst respecting cultural traditions and rights.

1. Ireland strongly supports the work of human rights defenders including in relation to land issues. Ireland encourages all states to promote and protect the rights of human rights defenders and ensure they operate in a safe and enabling environment in both law and practice. All human rights defenders should be able to work without fear of intimidation or reprisal from state or non-state actors. Ireland suggests that the revised General Comment should set out more clearly the basis for the obligations included in the current version of Paragraph 53 of the draft General Comment, as well as any links to Covenant obligations.
2. Ireland reiterates its support for the work of the Committee and looks forward to further engagement on this matter.