**OHCHR request for information pursuant to HRC decision** **32/115 on regional arrangements for the promotion and protection of human rights**

1. Ireland places great importance on regional mechanisms and considers the Council of Europe (CoE) to be an essential forum for the promotion and protection of human rights in Europe. The CoE’s values of human rights, democracy and the rule of law are fully aligned with Ireland’s foreign policy priorities. Given its vital role in protecting fundamental rights, Ireland places particular emphasis on the European Convention on Human Rights (ECHR), safeguarded by the European Court of Human Rights (ECtHR).

As well as setting standards on human rights, democracy and the rule of law, the CoE also plays an active role in ensuring that these standards are upheld. All Member States of the CoE are subject to monitoring by independent bodies of experts, enabling the CoE to identify areas of non-compliance and to make recommendations. Ireland participates in many important monitoring mechanisms of the CoE including:

* The Convention on Action against Trafficking in Human Beings,
* The Framework Convention on National Minorities,
* The Group of States against Corruption,
* The European Committee for the Prevention of Torture

The CoE’s Commissioner for Human Rights Nils Muižnieks conducted a monitoring visit to Ireland in November 2016. The five day visit included meetings with the President, Michael D.Higgins, a number of Government Ministers as well as several civil society groups. A report of the meeting will be published by the Commissioner in the coming months.

1. The promotion and protection of universal human rights are an integral part of Ireland’s foreign policy. The expansion of the international human rights protection system in recent years has resulted in a greater number of requirements on Member States for implementing Treaty obligations at both international and regional level, and in how they follow up on the observations, recommendations and decisions issued by these bodies. In some instances, the simplification of procedures has helped to improve the process. For example, Ireland welcomes the simplified reporting procedure introduced by CEDAW on a pilot basis for those States parties that wished to submit their overdue periodic reports.

At a national level, mechanisms for dealing with follow-up processes are required to ensure coherence. In Ireland, an Inter-Departmental Committee on Human Rights was established to “improve the coherence of the promotion and protection of human rights” and “assist progress towards the ratification by Ireland of key international human rights treaties and timely reporting to UN human rights bodies”. What is more, the Law Reform Commission is currently examining the application of Ireland’s international obligations in domestic law, with specific focus on the State’s dualist approach arising from the Constitution.

1. Ireland believes that the continuing credibility of the Convention system rests upon the effective functioning of the ECtHR and therefore has been an active supporter of the efforts to improve its efficiency in recent years.

The CoE has made significant achievements in recent years in reforming the working methods of the ECtHR in order to ensure its long term effectiveness. This reform process has included four high-level conferences on the future of the Court since 2010 and has resulted in a substantial decrease in the number of applicants waiting for their case be considered by the Court.

1. Ireland considers the CoE to be an indispensable platform for the promotion and protection of human rights standards across Europe. Ireland plays a particularly active role in meetings of the Committee of Ministers in its Human Rights format (CMDH), in which Member States oversee execution of judgments of the Court. Ireland has acceded to over 90 legally binding agreements within the CoE, covering a wide range of human rights issues and participates in many monitoring mechanisms of the Council.

Within the OSCE, Ireland places particular emphasis on the importance of the human dimension strand of the organisation’s work and supports the three executive institutions (ODIHR, HCNM and RFoM) tasked with promoting human dimension issues across the 57 participating States. Ireland provides funding to these executive bodies on a project- by- project basis. Irish priorities include work on creating and maintaining space for civil society, ensuring the protection of human rights defenders, and the prevention of discrimination based on sexual orientation and gender identity.

1. Some recent cases of cooperation include:

* The 2015 Second National Action Plan to prevent and combat Human Trafficking in Ireland included a number of proposals made by the CoE Group of Experts on Action against Trafficking in Human Beings (GRETA), such as reviewing victim identification processes and the efficiency of victim support services.[[1]](#footnote-1)
* Following the third evaluation round of Ireland by the CoE Group of States against Corruption (GRECO), various recommendations were implemented, including the revision of criminal law in the field of corruption to enhance consistency.[[2]](#footnote-2)
* Ireland signed the CoE Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) on 5 November 2015. The Government has approved an Action Plan for implementation of the Istanbul Convention in Ireland. This outlines the steps required of Ireland to fully ratify the Istanbul Convention in due course.[[3]](#footnote-3)

1. In addition to annual budgetary contributions of over €3 million to the CoE, Ireland has made several voluntary contributions to its work, including funding to clear the backlog of cases at the ECtHR as well as for the webcasting of hearings of the ECtHR. Support has also been provided to the CoE Action Plan for Ukraine, to the Sexual Orientation and Gender Identity Project and to the Platform for the Safety and Protection of Journalists. In addition Ireland provides funding to the OSCE Office for Democratic Institutions and Human Rights, and the OSCE Office Representative on Freedom of the Media. In 2016 €50,000 to the Inter-American Commission on Human Rights to assist its valuable work.
2. The Department of Foreign Affairs and Trade (DFAT) engages with civil society through two forums: the DFAT NGO Standing Committee on Human Rights and the annual DFAT Civil Society Forum on Human Rights. The aim of the Standing Committee is to regularly engage on Human Rights aspects of Irish Foreign Policy.

When preparing legislation, the Department of Justice and Equality consult with civil society organisations and National Human Rights Institutions, such as the Irish Human Rights and Equality Commission. For instance, the Department ran regional consultations on initiatives such as the new National Women’s Strategy, the National Traveller and Roma Inclusion Strategy and the National Disability Strategy.

During its term at the Human Rights Council (2013-2015), Ireland took the lead on a new draft resolution entitled “Civil Society Space: creating and maintaining in law and in practice a safe and enabling environment”. Since then, Ireland has continued to defend initiatives on civil society space at an international level.

1. Under Section 39 of the New Charities Act 2009, organisations who are Non-Government Organisations have to register to be recognized as a Charity. Conditions include exclusively having a charitable purpose, operating in Ireland, and providing clear public benefit, in Ireland or abroad. The Irish Revenue Commissioners recognise the advancement of Human Rights as a charitable purpose only in the case of a human rights charity that has consultative status with the United Nations and the CoE. Regarding funding from Irish Aid, the applicant organisation must fulfil conditions, including being a non-governmental, non-profit, civil society organisation with legal status, etc. The Irish Human Rights and Equality Commission is funded by the State as set out in legislation enacted in 2014.
2. In our view, both the OHCHR and regional human rights mechanisms play a crucial role in strengthening the promotion and protection of human rights in all countries and regions and translating human rights norms into reality on the ground. In this regard, the OHCHR can be an important facilitator in the sharing of lessons learned and best practices between international and regional human rights mechanisms and enhancing cooperation so as to ensure more effective human rights protection at the regional level. Such cooperation can take the form of provision of guidance and support to regional organisations, such as through technical assistance and capacity-building, or Principles for Regional Human Rights Mechanisms. The Treaty Body experts and Special Procedures Mandate Holders in particular can have an important role in cooperating with regional human rights mechanisms, including through conducting joint activities and country visits and sharing experiences. Engagement between the OHCHR and regional mechanisms has a dual potential: in assisting regional mechanisms in the development of effective human rights bodies and instruments, the OHCHR reinforces universal human rights standards, integrating jurisprudence and recommendations of international human rights mechanisms at the regional level, while also ensuring the international community has a better understanding of regional human rights issues and priorities.

1. https://rm.coe.int/CoERMPublic [↑](#footnote-ref-1)
2. https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680631c92 and http://www.coe.int/t/dghl/monitoring/greco/evaluations/round1/GrecoRC1(2003)14\_Ireland\_EN.pdf for more information) [↑](#footnote-ref-2)
3. The Action Plan is available here: http://www.justice.ie/en/JELR/ActionPlanIstanbulConNovember.pdf/Files/ActionPlanIstanbulConNovember.pdf [↑](#footnote-ref-3)