



# International Covenant on Civil and Political Rights

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## Human Rights Committee 135th session

### Summary record of the 3886th meeting\*

Held at the Palais Wilson, Geneva, on Monday, 4 July 2022, at 3 p.m.

*Chair:* Ms. Pazartzis

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Consideration of reports submitted by States parties under article 40 of the Covenant  
(*continued*)

*Fifth periodic report of Ireland*

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\* No summary records were issued for the 3884th and 3885th meetings.

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant**  
(continued)

*Fifth periodic report of Ireland (CCPR/C/IRL/5; CCPR/C/IRL/Q/5;  
CCPR/C/LUX/IRL/RQ/5)*

1. *At the invitation of the Chair, the delegation of Ireland joined the meeting.*
2. **Mr. O’Gorman** (Ireland), introducing his country’s fifth periodic report, said that the Government acknowledged that it had repeatedly failed to protect vulnerable citizens and uphold their rights in the context of mother and baby homes. Although the final report of the independent Commission of Investigation into Mother and Baby Homes, issued in 2021, had laid bare the systemic failures of the State and the wrongs visited upon Irish women and their children, the Government recognized that elements of the report had not lived up to survivors’ expectations. However, the report constituted a starting point, not a conclusion, and the commitments assumed following its publication had been consolidated into the Government Action Plan for Survivors and Former Residents of Mother and Baby and County Home Institutions. In addition, the Birth Information and Tracing Act of 2022 established full rights of access to birth certificates and birth and early life information for all persons who had been adopted, boarded out or the subject of an illegal birth registration, as well as for others with questions about their origins. Work was progressing on the establishment of a mother and baby institutions payment scheme to provide financial payments and health support to eligible persons, and another pending bill would allow for the exhumation, identification and dignified reburial of the remains of the infants interred at the Tuam burial site. The Government had also approved proposals for a National Centre for Research and Remembrance to honour victims of institutional trauma in Ireland in the twentieth century.
3. The Third National Strategy on Domestic, Sexual and Gender-Based Violence, covering the period 2022–2026, had recently been approved. It was focused on prevention and aimed at ensuring zero tolerance for all forms of domestic, sexual and gender-based violence. It also committed to the provision of specialized support services for victims of female genital mutilation. Taking account of overlapping forms of discrimination, the Strategy recognized the need to reflect lived experiences, especially those of particular victims and survivor groups, including migrants, Travellers and Roma, persons with disabilities, and lesbian, gay, bisexual, transgender and intersex persons. Moreover, the Department of Children, Equality, Disability, Integration and Youth was working to introduce paid leave for victims of domestic violence.
4. The Health (Regulation of Termination of Pregnancy) Act of 2018 governed access to abortion services and there was a continued focus on building capacity within the health service and enhancing the quality of and access to abortion-related services. A two-stage review of the implementation of the Act was under way and a final report was expected by the end of 2022. The Government was developing legislative proposals for safe access zones to protect patients and their family members from further distress when accessing services, and to protect health-care providers from intimidation or harassment when providing lawful services.
5. Measures to combat trafficking in persons had been strengthened, including through the introduction of a national referral mechanism to create new pathways for persons seeking to be recognized as victims to come forward. A new action plan on trafficking in persons, which was focused on prevention, would be published in late 2022. The Government had also taken proactive steps to mitigate and raise awareness of any potential risk of trafficking in the context of persons arriving in Ireland after fleeing the war in Ukraine. In line with the European Union Temporary Protection Directive, there was a coordinated whole-of-Government response to support people fleeing the war, 38,789 of whom had arrived in Ireland as at June 2022. Those granted temporary protection had immediate access to the labour market, social welfare, accommodation and other State support.
6. The Government was receiving an increasing number of requests for international protection, and, in January 2022, the Minister for Justice had launched a once-in-a-generation scheme, open for 6 months to long-term undocumented migrants and members of their

families living in Ireland, that would give them a chance to regularize their status, gain access to work and begin their path to citizenship. As at June 2022, 12,244 persons, of whom 2,833 were children, were housed in centres run by the International Protection Accommodation Service. Following consultations with civil society, residents of existing centres and government bodies, a white paper had been published on a proposed non-profit, rights-based model of accommodation and support for applicants for international protection. Under the proposed model, an applicant would initially be accommodated in one of six new integration and reception centres, with separate accommodation for families and single persons and tailored accommodation for persons with identified vulnerabilities. The centres would be operated by non-profit organizations on behalf of the State. Residents would remain in the centres, where they would undergo a programme of orientation, support and integration, for a maximum of four months, after which, if they had not received a positive decision on their application or were undergoing an appeals process, they would be accommodated in the community.

7. Regarding youth justice, the Government was examining its reservation to article 10 (2) of the Covenant with a view to a partial withdrawal. Also in the area of justice, in 2021 it had published proposals for a hate crime bill that would create new aggravated forms of existing criminal offences when motivated by prejudice against a protected characteristic such as gender, race, colour, nationality, religion, ethnicity, sexual orientation or disability and would provide the means to prosecute perpetrators who incited hatred or violence or committed hate crimes on the basis of a protected characteristic. Furthermore, Ireland had recently opted into the initiative to add hate crime and hate speech to the list of European Union crimes and was engaging with measures to tackle illegal content online set forth in the Digital Services Act proposed by the European Commission. In addition, the Government was reviewing its domestic equality legislation, and socioeconomic status and gender identity would be proposed as new protected grounds of discrimination.

8. The Government had recognized Travellers as a distinct ethnic group in March 2017 and the National Council for Curriculum and Assessment was developing a paper on Traveller culture and history in the school curriculum. The National Traveller and Roma Inclusion Strategy 2017–2021 had encompassed actions relating to cultural identity, education, employment, health and accommodation and had been overseen by a monitoring committee that included members of the Traveller and Roma communities as well as representatives of government bodies. Cross-sectoral work on a successor strategy was under way.

9. The Government had commissioned research to support the development of legislation to ban conversion therapy. The research was being carried out by a team of experts at Trinity College Dublin and would capture the views and experiences of persons who had undergone conversion therapy in Ireland.

10. The Department of Social Protection and the Data Protection Commission had agreed a settlement in respect of the processing of personal data involved in the issue of the Public Services Card. Under the agreement, the Department could continue to process personal data to authenticate a person's identity and issue the Public Services Cards used to gain access to public services. The scope and implementation of a programme of work on data retention and transparency had also been agreed.

11. The new Garda Síochána (Powers) Bill would provide a statutory basis for the existing police powers of search, arrest and detention, supported by statutory codes of practice on the recording and use of information, while the Garda Síochána (Recording Devices) Bill would provide a statutory framework for the use of digital recording devices by the police. In addition, approval of the Inspection of Places of Detention Bill would clear the way for ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Under that Bill, the Inspector of Prisons would become the Chief Inspector of Places of Detention, thereby allowing the existing structure and expertise to be applied more broadly. The bills had been developed by the Department of Justice in consultation with various stakeholders and enjoyed broad support. In addition, in 2021 a high-level task force of representatives from the health and justice sectors had been established to consider the mental health and addiction challenges of persons

interacting with the criminal justice system. The task force had submitted an interim report in November 2021.

12. The primary school curriculum was undergoing a review, with a focus on diversity. The vast majority of new primary schools had a multi-denominational ethos, and the Government aimed to have at least 400 multi-denominational primary schools by 2030.

13. The Electoral Reform Bill would establish a statutory, independent electoral commission, which would work to increase participation in the State's electoral and democratic processes, with an emphasis on marginalized or traditionally underrepresented groups. The commission would prepare reports on the administration of electoral events that would include information on assistance provided to persons with disabilities.

14. To increase the representation of women within the senior leadership teams of companies in Ireland, in 2018 the Government had launched the "Balance for Better Business" Initiative, which, by March 2022, had helped to increase women's share of seats on the boards of the largest listed companies to 32 per cent. In addition, in July 2021 the Government had passed the Gender Pay Gap Information Act, which mandated all employers of a certain size to report aggregated remuneration by gender. Lastly, a parliamentary committee was currently examining the recommendations of the Citizens' Assembly on Gender Equality.

15. **Mr. Gaffey** (Permanent Representative of Ireland to the United Nations and other international organizations in Geneva) said that his Government remained strongly committed to the periodic review process, as was demonstrated by the broad high-level delegation that had travelled to Geneva to participate. It was proud of the steps being taken to protect human rights and uphold the standards of the Covenant in Ireland. He wished to acknowledge the active engagement of civil society throughout the review process, including its role in following up on the issues raised. The Government recognized that further work remained to be done in safeguarding civil and political rights and he wished to assure the Committee that all its recommendations would be given due follow-up.

16. **Ms. Tigroudja** said that she would like to know how the State party would ensure that the Covenant had the same status in national law as the European Convention on Human Rights and thus guarantee its full application for all persons under the country's jurisdiction. She would appreciate further information on any plans to withdraw all reservations to the Covenant, including any time frame for the Government's deliberations on article 10 (2). It would be useful to know how cases of rape and other forms of sexual violence committed against children by members of the Catholic Church had been followed up in criminal proceedings, including, in particular, whether the perpetrators had been identified and appropriate sentences had been handed down.

17. She would be interested to know how the State party planned to address the High Court's criticism of the work of the Commission of Investigation into Mother and Baby Homes, which it had described as lacking transparency, containing numerous gaps, and failing to consider the testimonials of certain survivors and to properly investigate violence in those institutions. In view of the lack of information on criminal proceedings and sentences, she would appreciate further information on the implementation of the Government's commitment to continue conducting criminal investigations against the perpetrators of those crimes. She wondered how the Government would ensure that the Birth and Information Tracing Bill, the Institutional Burials Bill and the mother and babies institutions payment scheme delivered justice to survivors and their descendants and families, in view of the criticism they had received. She would also like to know why apparently not all victims of offences committed in mother and baby homes were able to receive financial compensation and why victims who accepted compensation were asked to renounce their right to legal action, in violation of European human rights law. Moreover, she wished to know how the State party planned to ensure automatic and effective access to personal data and information under the Birth and Information Tracing Act.

18. It would be helpful to know whether the State party intended to legalize abortion in all circumstances, and, in view of the persistent legal and practical obstacles, whether the Health (Regulation of Termination of Pregnancy) Act would be amended to guarantee access for all women, without discrimination. Similarly, she would like to know how the State party

ensured access to safe, free and legal abortions for vulnerable women, in particular during the coronavirus disease (COVID-19) pandemic, and what measures were being taken to ensure that women's right of access to abortion was not affected by the conscientious objections of some doctors or the violent actions of anti-abortion activists.

19. **Mr. Ben Achour** said that he wished to know whether the Irish Human Rights and Equality Commission was empowered by law to monitor places of detention, including by conducting unannounced visits. He would also like to know more about the impact of the Commission's work when it came to processing complaints of human rights violations and providing victims with legal and other assistance. He wondered why it had taken so long for the cases of symphysiotomy (an outdated surgical procedure historically used to alleviate obstructed labour) that had occurred between 1944 and 1987 to be investigated; why only 399 of the 1,500 victims had been awarded compensation; whether the victims' families had received any compensation; and whether the obstetricians who had opted to perform symphysiotomies during the period in question had done so for religious reasons.

20. **Mr. Santos Pais** said that, although some progress had been made in combating corruption, recent surveys had shown that Irish people still lacked confidence in the State's ability to hold corrupt officials to account. Accordingly, he would appreciate more information on the implementation of the Criminal Justice (Corruption Offences) Act of 2018, including, specifically, the delegation's comments on reports that the Act did not sufficiently address the issue of bribery, and on the recommendation from civil society that the bill on protected disclosures should be amended to ensure maximum protection for whistle-blowers. He would also be interested to know whether the Government intended to resubmit the Public Sector Standards Bill, perhaps after strengthening its provisions. He would welcome more detailed information on the number of cases of corruption in State bodies, including the police and the judiciary, that had been investigated and prosecuted and had led to a conviction over the previous four years, and on the penalties that had been imposed in those cases. He wondered whether there was a time frame for the implementation of the action plan to tackle economic crime and corruption, what stage had been reached in its implementation and whether any specific outcomes had been achieved thus far.

21. He would like to know what progress had been made towards amending article 41 (2) of the Constitution to render it gender-neutral; whether the Joint Oireachtas (the Irish parliament) Committee on Justice and Equality had considered the report on gender equality prepared by the Citizens' Assembly; whether it planned to act on the recommendations set out in the report concerning the amendment of articles 40 and 41 of the Constitution; and, if so, whether there was a timeline for the organization of a referendum on the matter. He was interested to know what the main outcomes of the National Strategy for Women and Girls 2017–2020 had been; whether an independent evaluation of the implementation of the Strategy would be carried out; whether a follow-up strategy would be prepared; and, if so, when it would be launched and what qualitative and quantitative indicators would be used to monitor its implementation.

22. It would be interesting to learn whether the Government planned to implement the Citizens' Assembly's recommendation that the quota for women candidates in general elections should be increased from 30 to 40 per cent and should be extended to elections to local councils, the Seanad Éireann (the upper house of the Oireachtas) and the European Parliament by the end of 2022; and whether it planned to take additional positive action measures to support the political participation of underrepresented groups, including women with disabilities. Since the Citizens' Assembly had also made recommendations relating to the introduction of gender quotas in the public and private sectors, he likewise wished to know whether the Government planned to act on those recommendations and what measures would be taken to ensure that the Gender Pay Gap Information Act of 2021 was fully implemented.

23. He would like to know whether the implementation of the Domestic Violence Act of 2018, including the steps taken to protect vulnerable women such as migrants and asylum-seekers, had been evaluated. An indication of the main conclusions of the working group set up to review the investigation and prosecution of sexual offences would also be useful. He wondered whether an independent evaluation of the implementation of the Second National Strategy on Domestic, Sexual and Gender-based Violence 2016–2021 would be carried out,

and what qualitative and quantitative indicators would be incorporated in the third iteration of the strategy. He would welcome information on any campaigns and programmes conducted over the previous four years to raise awareness of and prevent violence against women, and on the outcomes of any such initiatives.

24. He would also like to know what measures would be taken to improve the collection of disaggregated data on violence against women and domestic violence, to make it easier for victims to file complaints and to improve the assistance and protection provided to victims during investigation and prosecution processes. He wondered whether there were any plans to provide additional training on gender-based and domestic violence for immigration and police officers, judges and staff of the Office of the Director of Public Prosecutions. Lastly, he would appreciate information on the results of the national survey on the prevalence of sexual violence; on the measures that would be taken to combat domestic violence, to step up the provision of legal aid and other support services for victims throughout the country and to facilitate access to those services for vulnerable groups, such as Roma and migrant women; and on the reach and outcomes of the programmes for perpetrators of domestic violence.

25. **Mr. Yigezu** said that he would welcome further information about measures introduced in the context of the COVID-19 pandemic that had resulted in restrictions on the enjoyment of rights enshrined in the Covenant. In particular, he wished to know what had been done to ensure that the measures met the requirements of necessity and proportionality, that they were imposed for a limited period only and were of limited scope, and that they were non-discriminatory. He wondered whether the State party planned to establish a mechanism to oversee the implementation of such measures in future and to ensure the application of a human rights-based approach. He would also like to know whether the State party had notified the Secretary-General of the United Nations, pursuant to article 4 (3) of the Covenant, of any measures taken that derogated from its obligations under the Covenant, and, if it had not, what the reasons for that omission had been.

26. Although Travellers had been formally recognized by the Government as a distinct ethnic group, the rights and status of the Traveller community had not been enshrined in law. Both Travellers and Roma continued to face negative stereotypes and to be subjected to multiple forms of discrimination. It would be helpful if the delegation could clarify whether there were any plans to assess the impact of the Government's formal recognition of the Traveller community and what legislative and other measures were being taken to combat discrimination against Travellers and Roma. In the light of reports that people of African descent faced discrimination on a daily basis and that racial profiling by Irish police officers was a frequent occurrence, he would like to know what measures would be taken to combat racism, discrimination and prejudice and promote intercultural awareness and trust in the law enforcement system, and how the impact of those measures would be assessed. In view of concerns that migrants in an irregular situation had no access to essential social services such as health care, he wished to know what legislative and policy measures would be taken to ensure access to basic goods and services for all migrants, irrespective of their status, in order to protect their right to life.

27. **Ms. Kpatcha Tchamdja** said that the Committee had received reports that, contrary to the information provided by the State party, there had been a significant increase in hate crimes during the COVID-19 pandemic and that law enforcement officers had not received adequate training in that area. She would therefore appreciate information on any specific measures taken to combat hate crime more effectively. She would also like more information on the status of the bill on hate crime, the measures that would be taken to ensure the proper implementation of the bill once it had been enacted, and the mechanisms that would be put in place to encourage the reporting of hate crimes. Lastly, she invited the delegation to comment on reports that some of the terms used in the bill were either not clearly defined or not in line with international standards and to explain how the State party planned to address the issue of online hate crime.

*The meeting was suspended at 4.20 p.m. and resumed at 4.55 p.m.*

28. **A representative of Ireland** said that his country had chosen not to incorporate the Covenant into national law directly and to instead give effect to the rights established

thereunder through the Constitution and statute laws. Many of the provisions of the Covenant had counterparts in articles 40 to 44 of the Constitution, which expressly protected a range of fundamental rights, including the rights to equality before the law, liberty, life and freedom of association, expression and assembly. Furthermore, the courts had recognized rights deriving from those provisions, including the rights to privacy, marriage, travel, effective remedy and freedom from torture and inhuman or degrading treatment, and had clarified that the Constitution was a living and evolving text that should be read in conjunction with all human rights treaties ratified by Ireland. The Constitution had a horizontal effect and could be invoked in disputes between individuals, and not merely between individuals and the State; some key decisions concerning human rights had also been rendered in cases between private parties.

29. A comprehensive system of judicial review was in place that covered all administrative acts and enabled persons to obtain redress whenever they had been the subject of improper use of administrative or legal powers. The European Convention on Human Rights Act of 2003 had been passed to give effect to the European Convention in national law as part of the country's commitments under the Good Friday Agreement and thus to ensure uniform human rights protection throughout the island of Ireland. Under the Act, the courts were required to interpret statute law in a manner compatible with the State's obligations under the European Convention insofar as possible, and they generally assumed that the Oireachtas had intended to legislate in a way that was consistent with the State's treaty obligations. Human rights were further guaranteed under the Charter of Fundamental Rights of the European Union.

30. **A representative of Ireland** said that his country's reservation concerning article 10 (2) of the Covenant related to the segregation of convicted prisoners and persons held on remand and the separation of children and adults in places of deprivation of liberty. While adults and children were held separately in all cases, the Government was not in a position to guarantee separation of the different categories of adult prisoners. The Government was reviewing the reservation with the aim of lifting it insofar as it related to juveniles. The review would be completed before the end of 2022.

31. **A representative of Ireland** said that the Government intended to retain the country's reservation to article 20 (1) of the Covenant at the present time. However, it was considering the possibility of adopting the legislative measures necessary for the attainment of the objective of that article. Ireland constantly reviewed its reservations to human rights treaties in line with the Vienna Declaration and Programme of Action and a number of reservations concerning other treaties had been withdrawn as a result.

32. **A representative of Ireland** said that, as with any criminal matter, decisions regarding whether to bring charges and initiate a prosecution following investigations into allegations of historical abuse were taken jointly by An Garda Síochána (the national police service) and the Office of the Director of Public Prosecutions, independently of the Government. An Garda Síochána investigated all crimes reported to it and there was no statute of limitations for criminal offences. A dedicated police helpline had been established following the publication of the Report of the Commission to Inquire into Child Abuse (the Ryan Report) and it had received over 180 calls from members of the public. All reports had been fully investigated and 15 cases had been forwarded to the Office of the Director of Public Prosecutions. The Office had recommended prosecution in one of the cases and, in 2013, the accused had been sentenced to 2 years' imprisonment after being found guilty of 14 counts of indecent assault.

33. The final report of the Commission of Investigation into Mother and Baby Homes had been forwarded to the Attorney General, the Garda Commissioner and the Director of Public Prosecutions immediately after its publication. Since the judicial authorities had concluded that there was insufficient evidence in the report to initiate criminal proceedings, An Garda Síochána had issued a public call urging anyone with information about possible criminal offences committed in mother and baby homes, including sexual and domestic assault prior to admission, to come forward. Specially trained officers were available to assist anyone who wished to lodge a complaint. As at April 2022, 86 reports had been received, and over 30 investigations into those reports remained open. Regrettably, many investigations were

hindered by the fact that the complaints concerned historical offences and the victims were often difficult to track down.

34. **Mr. O’Gorman** (Ireland) said that, in December 2021, the High Court had settled eight judicial review cases in relation to the final report of the Commission of Investigation into Mother and Baby Homes and that a statement had been issued in which it was recognized that applicants identified in particular paragraphs of the report should have been provided with a draft prior to the report’s publication. Those applicants should have been afforded the opportunity to request the Commission to correct statements that they believed to be inaccurate and an acknowledgement would be published alongside the final report to indicate that a number of victims did not accept the accounts given therein as an accurate reflection of the evidence that they had provided. While the procedural failure to consult with the individuals identified was regrettable, the report was extensive and had been the culmination of an eight-year investigation based on the testimony of hundreds of individuals and substantial documentary evidence. A memorial centre was to be established in recognition of the suffering experienced by the survivors of abuse.

35. The bill establishing the mother and baby institutions payment scheme was undergoing pre-legislative scrutiny by a parliamentary committee. It was likely to be submitted to parliament in September 2022 and signed into law by the end of the year. The scheme had a budget of €800 million and 34,000 former residents of mother and baby homes were expected to benefit from the payments and free medical care that would be made available.

36. The Birth Information and Tracing Act had been passed only very recently, the corresponding bill having undergone significant changes throughout the legislative process. Under the Act, any person whose birth had been registered illegally was now entitled to all records pertaining to them, without redaction – the first time such a provision had been made in Irish law. A national and international information campaign would be launched in the near future to raise awareness of the Act and inform affected persons and their mothers about their rights thereunder. Under the European Union General Data Protection Regulation, parents were already entitled to access all information about them contained in institutional files and that right would also be highlighted in the awareness-raising campaign.

37. It was hoped that the Institutional Burials Bill would be passed in the coming days. Once enacted, it would allow for the excavation of the burial site at Tuam, with potential for expansion to other sites. During the legislative process, a provision that excluded the coroner’s jurisdiction during the investigations had been removed from the bill, and provisions envisaging the establishment of an advisory board comprising former residents and survivors to provide guidance for the agency undertaking the investigation and the expansion of the list of relatives of the deceased who were eligible to provide DNA samples had been added. The excavations would be carried out by forensic experts in line with international standards.

38. **A representative of Ireland** said that there had been significant developments in relation to the termination of pregnancy since 2014 and such procedures were now regulated under constitutional and statute law. Until 2018, the eighth amendment of the Constitution had recognized the right to life of unborn babies as equal to that of the mother. In 2016, the Government had convened a citizen’s assembly to consider redrafting that provision. The assembly had submitted its final report in June 2017, and had recommended that the eighth amendment should be replaced with a provision that explicitly authorized parliament to legislate on the issue of termination of pregnancy. A joint committee of both houses of parliament had been established to examine all relevant evidence, and had completed its task in December 2017. In light of the joint committee’s recommendations, the Government had decided to hold a referendum on the replacement of the constitutional amendment in May 2018. The referendum had showed majority support in favour and the Health (Regulation of Termination of Pregnancy) Act had been adopted in December 2018, providing that termination of pregnancy would thenceforth be permitted in cases where either there was a risk to the life of the pregnant woman or a risk of serious harm to her health, or the fetus was unviable. Termination was permitted without restriction within the first 12 weeks of pregnancy.



39. Given the historical ban on abortion, the services required as a result of the Act had had to be built up from scratch. Maternity hospitals and community health-care centres had begun to offer abortion services in January 2019 and significant progress had been made since that date. One of the key challenges was ensuring sufficient doctors and facilities to provide the services. At present, more than 400 general medical practices performed abortions within the first nine weeks of pregnancy and just over 10 of the country's maternity units carried out the procedure. The National Women and Infants Health Programme had committed funding for the recruitment of five additional consultant obstetricians who would be expected to provide abortion services as part of their duties. The number of general practitioners had also been increased over the past decade and the Government had allocated additional funds for recruitment.

40. The Act allowed for conscientious objection among medical practitioners, but that exception did not apply to health-care institutions. Practitioners terminating a pregnancy were required to form a reasonable opinion that the pregnancy had not lasted more than 12 weeks and those who had made such an opinion in good faith would not face criminal charges if they were later found to have been incorrect. The Health Service Executive was working to remove barriers to access to abortion services. In cooperation with the World Health Organization (WHO), the Executive had organized seven values clarification workshops since 2018 in order to allow for an open discussion of views relating to abortion, and plans were in place to provide peer support for hospital staff. Since 2019, the National Women and Infants Health Programme had invested more than €12 million across the maternity network to support the expansion of pregnancy termination services.

41. The review of the implementation and effectiveness of the Health (Regulation of Termination of Pregnancy) Act begun in December 2021 was being conducted in a fair and transparent manner and had included public consultations that had closed in April 2022 after around 7,000 submissions had been received. In 2019, the Health Service Executive had commissioned a major qualitative study on unplanned pregnancy and abortion care, which would help to provide an in-depth understanding of the services provided since the adoption of the Act. The study was expected to be published in the coming weeks. Research to determine why abortion services were not available at certain health-care centres had also been carried out. All the evidence gathered through that survey would be considered by an independent body that would publish its views and recommendations by the end of 2022. The Department of Health had made significant progress on legislative proposals intended to safeguard access to abortion.

42. **A representative of Ireland** said that the Irish Human Rights and Equality Commission did not currently have the authority to inspect prisons but that the Office of the Inspector of Prisons – an independent body established under the Prisons Act of 2007 – conducted inspections on a regular basis. Under section 31 of the Act, the Inspector could enter any prison, or any part of a prison, at any time and could obtain copies of any books, records or other documents kept in prisons. Prison staff, including governors, were required by law to comply, to the fullest extent possible, with all requests for information issued by the Inspector. The Commission would assume responsibility for coordinating all national preventive mechanisms, reviewing their reports, offering guidance and ensuring that follow-up was given to all relevant recommendations.

43. **A representative of Ireland** said that a substantial number of women who had undergone symphysiotomy procedures had passed away before assistance and compensation had been made available. Since almost 200 women who had applied for support under the symphysiotomy payment scheme had had their claims rejected because they had been unable to adequately substantiate their claims, a strategy for locating relevant medical records had been adopted and women had been given the option of undergoing medical examinations to demonstrate their eligibility. Compensation payments were made to women directly in recognition of the pain that they had suffered; their family members were not entitled to such payments. Symphysiotomy had been carried out because families tended to be much larger in the past and births by caesarean section had been deemed too risky in view of the medical evidence available at the time.

44. **A representative of Ireland**, speaking via video link, said that, under the Criminal Justice (Corruption Offences) Act of 2018, individuals could be prosecuted in Ireland for

bribery of foreign officials if the acts in question constituted bribery or an analogous offence such as trading in influence under the laws of the foreign country in which the act had taken place, since the dual criminality requirement would thus be satisfied. Commitments to reform legislation on ethics in public office had been included in the 2020 Programme for Government, and, to that end, the Department of Public Expenditure and Reform was undertaking a review of relevant laws that should be completed in the course of 2022. To implement the recommendations issued following the review of structures and strategies for preventing, investigating and penalizing economic crime and corruption, a forum of senior representatives from the relevant bodies created in June 2021 was working to develop a training programme for officials investigating economic crime and corruption, along with information-sharing mechanisms and measures designed to detect and deter bid rigging in public procurement.

45. The Criminal Procedure Act that had entered into force in February 2022 allowed for preliminary trial hearings in order to expedite and streamline proceedings, especially in cases involving complex offences such as white-collar and organized crime. In cooperation with the Judicial Council, work to train judges in how to deal with such cases was under way. The Advisory Council against Economic Crime and Corruption would be operational in the near future; the Government had approved the Council members' nominations, including that of its Chair, and they were due to hold their first meeting in late July 2022.

46. A long-term strategic plan was being devised with a view to ensuring sufficient resources for the Garda National Economic Crime Bureau and additional prosecutors had been assigned to the Special Financial Crime Unit of the Office of the Director of Public Prosecutions. The Garda Síochána (Powers) Bill, which addressed a number of the recommendations made following the review of structures and strategies for preventing, investigating and penalizing economic crime and corruption, had been published in June 2021 and had undergone pre-legislative scrutiny in December of the same year.

47. **Mr. O'Gorman** (Ireland) said that the Citizens' Assembly on Gender Equality had met throughout the COVID-19 pandemic and had submitted its report to the Government in 2021. A parliamentary committee had since been convened to follow up on the Assembly's recommendations. A number of the recommendations would require amendments to the Constitution, including to article 41 (2), which referred to the position of women in the home. The Government had committed to holding a referendum on the amendments and the Department of Children, Equality, Disability, Integration and Youth was discussing the wording of the referendum question with the parliamentary committee. No date for the referendum had thus far been set.

48. The Department of Justice and the Department of Children, Equality, Disability, Integration and Youth were planning to grant maternity leave to women who held elected office. The Gender Pay Gap Information Act of 2021 had been introduced under the National Strategy for Women and Girls and its implementing regulations had recently entered into force. The Act required companies with more than a certain number of employees to produce disaggregated data on the pay of male and female employees, to explain any differences, and, if applicable, to set out proposals to address those differences. Also, in implementation of the National Strategy, alongside an extension of existing family leaves, including, most recently, the introduction of an additional two weeks of paid parents leave for each parent each year, further investments had been made in the provision of childcare and the Department of Health had devised a women's health action plan. The National Strategy was currently being reviewed in parallel with the Migrant Integration Strategy and the National Traveller and Roma Integration Strategy, given the overlap between the issues that they covered, in order to identify successes and areas for improvement. The outcome of the review, which was expected to be completed by the end of 2022, would inform the successor strategies to be adopted in 2023.

49. **A representative of Ireland**, speaking via video link, said that electoral law had been amended to link the funding of political parties to the achievement of a gender balance among candidates. That provision had come into effect during the 2016 general election campaign and marked improvements in the representation of women had since been noted. The Electoral Reform Bill of 2022 was at an advanced stage of the legislative process and an electoral commission would be set up once it was passed. The commission's remit would

include raising public awareness with a view to boosting the electoral participation, both as voters and as candidates, of marginalized and traditionally underrepresented segments of the population; advising the Government on electoral policy; conducting research; and reviewing the Electoral Act of 1997, which provided a statutory framework for the financing of political parties. The recommendations issued following that review would inform the Government's consideration of the link between the funding of political parties and the candidacy of women and other underrepresented groups.

50. **A representative of Ireland** said that the initial target of the “Balance for Better Business” Initiative was that women should occupy 33 per cent of seats on the boards of the 20 largest companies listed on the Irish stock exchange and 25 per cent of seats on the boards of other listed companies by the end of 2023. Significant progress had been made, with the representation of women in certain companies having doubled since 2018. The Government was considering options for incorporating into national law a new European Union directive on improving the gender balance among non-executive directors of listed companies that had been agreed in June 2022.

51. **Mr. O’Gorman** (Ireland) said that funding of €363 million had been allocated for the implementation of measures envisaged under the Third National Strategy on Domestic, Sexual and Gender-based Violence, which was focused on education and tackling the root causes of violence. An audit had been carried out to identify shortcomings in the provision of services to victims of domestic and gender-based violence and, in the light of its outcome, the Government had decided to create a new agency to combat domestic violence that would be responsible for guiding policy and providing services such as refuges for victims. The Government had also committed to doubling the capacity of refuges for victims of violence in both urban and rural areas by the time the Third National Strategy came to an end.

52. **A representative of Ireland** said that the Domestic Violence Act of 2018 had been reviewed as part of the Third National Strategy on Domestic, Sexual and Gender-based Violence, in cooperation with civil society organizations including the National Women’s Council of Ireland and Safe Ireland. As a result, the Department of Justice, in partnership with civil society, was seeking to improve the police response to breaches of protective orders, increase the prosecution of breaches, ensure that perpetrators were forced to leave the home instead of the victims in cases where it was safe for victims to remain, and assess the impact on victims of situations where two or more separate sets of court proceedings, such as criminal prosecutions, custody proceedings or child protection procedures, were under way, with a view to simplifying the process and lightening the burden. The police had been monitoring the situation of victims who had reported domestic violence during the COVID-19 pandemic in order to reassure them and provide follow-up support, in line with the provisions of the Domestic Violence Act and especially those intended to combat coercive control. For similar purposes, the Department of Justice had launched the “Still Here” campaign to inform victims that services and assistance remained available during the pandemic and encourage them to come forward.

53. In response to the recommendations issued following the Review of Protections for Vulnerable Witnesses in the Investigation and Prosecution of Sexual Offences (O’Malley Report), a dedicated website had been set up that contained links to the relevant support services, funding had been increased for non-legal forms of support for victims in order to encourage them to report offences and help them to navigate the criminal justice system, and steps had been taken to ensure that the relevant specialized services were available for victims of different crimes, including sexual offences, child abuse and human trafficking. In view of the difficulties faced by victims during court proceedings, physical infrastructure had been improved by placing a screen between the accused and the victim and intermediaries were available to assist victims with communication problems.

54. The judiciary had a “train the trainer” system in place to foster an understanding among judges of the trauma suffered by victims of violence, and similar training was provided to all front-line staff involved in the justice system. A review of the training programmes in place had been commissioned with a view to identifying any shortcomings and an allocation to help individual bodies within the Government to provide their staff with appropriate training had been made in the 2022 budget. A new agency would be tasked with

collecting and analysing data on domestic and gender-based violence and ensuring that information was adequately shared between all bodies concerned.

55. The sexual violence prevalence study was ongoing and the Central Statistics Office was devising the next round of questions. There were plans to alternate the study with a domestic violence prevalence study every five years. A national rehabilitation programme for perpetrators of different forms of violence was being developed.

56. **A representative of Ireland** said that the Government's response at the outset of the COVID-19 pandemic had been underpinned by the key ethical principles of harm reduction, proportionality, solidarity, fairness, reciprocity and privacy. The restrictive measures recommended by the National Public Health Emergency Team had been deemed proportionate and necessary to address the threat to public health at any given time. The Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act of 2020 authorized the adoption of regulations to prevent or reduce the spread of COVID-19, and the regulations had been updated and changed as the epidemiological situation developed and new variants of the virus emerged. Ireland had not availed itself of the option to derogate from the Covenant, as permitted under article 4, because its COVID-19 response complied with the Covenant provisions.

57. **Mr. O'Gorman** (Ireland) said that proposed legislation on hate crime would be presented to the Dáil Éireann (the lower house of the Oireachtas) during its next term and it was hoped that the legislation would be enacted by the end of 2022. The proposals had been delayed owing to a need for improvements to the bill's wording. A national action plan against racism would also be put forward during the Dáil's next term and a national equality data strategy would be developed in order to better understand the impact of the various measures taken to protect the rights of minority groups. Lastly, a mechanism for lodging complaints concerning hate material on social media platforms and other websites would be established following the enactment of the Online Safety and Media Regulation Bill of 2022.

*The meeting rose at 6.10 p.m.*