



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the third periodic report of Ireland*

I. General information

1. Please clarify whether the Covenant is part of the domestic law of the State party and can be invoked before, and/or applied by, domestic courts. Please also provide examples of cases where rights which are not guaranteed in the State party's Constitution, such as the right to food and cultural rights, have been adjudicated by domestic courts referring to or using the Covenant.
2. Please indicate whether the State party views the reservation to article 13, paragraph 2 (a), made at the time of ratification of the Covenant, as of continued relevance or whether it plans to withdraw it.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 2, paragraph 1 – Maximum available resources

3. Please indicate to what extent austerity measures adopted under the National Recovery Plan 2011–2014, such as cuts to social security benefits, have affected the enjoyment of economic, social and cultural rights, in particular by disadvantaged and marginalized groups.

Article 2, paragraph 2 – Non-discrimination

4. Please indicate whether the State party intends to adopt comprehensive anti-discrimination legislation to include all the grounds referred to in article 2, paragraph 2, of the Covenant.

* Adopted by the pre-sessional working group at its fifty-fourth session (1–5 December 2014).



Article 3 – Equal rights of men and women

5. Please provide information on the impact of measures taken under the National Women’s Strategy 2007–2016 in ensuring equality between men and women in the enjoyment of all rights enshrined in the Covenant. Please also provide information on the measures taken to eliminate gender stereotypes and to promote equal sharing of responsibilities in the home between men and women and in society, including through the implementation of the National Childcare Investment Programme 2006–2010 on access to affordable childcare services in the State party.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

6. Please indicate to what extent measures taken have improved access to work opportunities for disadvantaged and marginalized individuals and groups that may not be among the four cohorts prioritized by the State party, as mentioned in paragraph 92 of the State party report.

7. Please indicate to what extent the measures taken, such as the provision of financial incentives to employers, the implementation of the Vocational Training Strategy for Disabled People and the “Supported Employment” initiative, have enabled the State party to progress towards the achievement of the targets mentioned in paragraphs 130 and 131 of the State party report.

Article 7 – The right to just and favourable conditions of work

8. Please indicate whether adjustments in the National Minimum Wage take into consideration the obligation to ensure that it provides workers and their families with a decent standard of living.

9. Please indicate how the right to just and favourable conditions of work, including the right to fair wages, is guaranteed to those working under zero-hour contracts.

10. Please inform the Committee on measures taken to combat forced labour in unregulated low-paid employment such as the catering, domestic work, care, construction, agricultural and entertainment sectors. Please also provide information, including statistics, on cases of forced labour investigated since the entry into force of the Criminal Law Act of 2008, their prosecution and the results of the proceedings, including reparations made to victims.

Article 8 – Trade union rights

11. Please inform the Committee of the progress in the adoption of legislation in relation to collective bargaining mechanisms in the State party. Please also inform the Committee whether consideration is given to a review of the requirements for obtaining a negotiation licence for collective bargaining.

Article 9 – The right to social security

12. Please update the Committee on the development of the “risk equalization scheme”, mentioned in paragraph 322 of the State party report, and explain how the scheme impacts the enjoyment of the right to social security.

13. Please indicate whether the State party intends to introduce a social security scheme to cover loss of income for self-employed persons on grounds other than those that are already guaranteed.

14. Please inform the Committee whether consideration is being given to review of the procedure and application of the habitual residence condition for social assistance payments with a view to eliminating its discriminatory impact on vulnerable persons, such as victims of domestic violence, asylum-seekers and Travellers.

Article 10 – Protection of the family, mothers and children

15. Please provide information on measures taken to monitor and enforce compliance with regulations regarding residential centres for persons with disabilities, with a view to preventing the occurrence of abuse and ill-treatment.

Article 11 – The right to an adequate standard of living

16. Please provide information on results achieved by the implementation of the National Action Plan for Social Inclusion 2007-2016 in addressing consistent poverty and the risk of poverty, particularly among children and families with children, and especially lone-parent families, Travellers and Roma.

17. Please indicate to what extent the implementation of the Housing Act of 2009, the Construction Plan 2020 and the Housing Assistance Payment addresses the acute shortage of social housing and of affordable housing in the State party. Please also indicate the impact of measures taken to provide adequate accommodation for asylum-seekers, and to ensure that migrants are not discriminated against in accessing affordable and adequate housing.

18. Please provide information on the impact of measures taken to ensure access to sufficient affordable, healthy food, especially for disadvantaged and marginalized individuals and groups. Please also update the Committee on whether the national food and nutrition policy mentioned in paragraph 275 of the State party report has been adopted.

19. Please inform the Committee of measures taken to ensure that the privatization of water services in the State party will not affect the right of everyone to enjoy affordable, quality water and will not lead to discrimination in access to water.

Article 12 – The right to physical and mental health

20. Please indicate to what extent the Health Service Reform Programme has addressed the acute shortage of hospital beds and the long waiting lists at public health institutions in the State party. Please also provide information on the impact of cuts in the national health services on the availability and accessibility of beds, especially in disadvantaged urban and rural areas. Additionally, please provide information on the impact of the measures taken, such as in the form of Traveller Health Units and Primary Health Care Projects, on the enjoyment of the right to health of Travellers.

21. Please provide information on the impact of measures taken to address the shortage of capacity in mental health-care facilities for children. Please also provide information on the impact of closure plans and of other measures taken by the State party with regard to the availability and development of community-based mental health-care services, and services for older persons and persons with disabilities.

22. Please inform the Committee on the impact of measures taken under the National Substance Misuse Strategy to address alcohol abuse.

23. Please provide information on whether the State party intends to revise its legislation criminalizing abortion to provide for exceptions, including in cases of rape, incest and risks to the health of the mother, inter alia. Please also indicate what progress has been made in adopting comprehensive guidelines to clarify what constitutes “real and substantive risk” to the life, as opposed to the health, of a pregnant woman. Please also clarify what measures are being taken to ensure that pregnant women have access to information concerning safe abortion methods and services.

Articles 13 and 14 – The right to education

24. Please indicate to what extent the Traveller Education Strategy guarantees equal enjoyment of the right to education for Travellers.

25. Please indicate to what extent the National Plan for Equity of Access to Higher Education addresses the obstacles to access to higher education for pupils involved in the Delivering Equality of Opportunity in Schools scheme, in view of the fact that only 12 per cent pursue tertiary education.

26. Please inform the Committee of progress made with the adoption of an updated plan for the implementation of the 2004 Education for Persons with Special Educational Needs Act.

Article 15 – Cultural rights

27. Please inform the Committee whether the State party is intending to take measures to recognize Traveller ethnicity.

28. Please indicate the measures taken by the State party to ensure affordable access to the Internet for disadvantaged and marginalized individuals and groups, and in rural areas.
