

DFAT NGO Standing Committee on Human Rights

10.30am 11 December 2015

Iveagh House

When approved at the next meeting of the DFAT NGO Standing Committee these minutes will be uploaded to the Department of Foreign Affairs and Trade website.

Minutes

Present: Karol Balfe (*Christian Aid Ireland*), Noeline Blackwell (*FLAC/FIDH*), Martin Collins (*Pavee Point*), Fiona Crowley (*Amnesty International Ireland*), Layla de Cogan Chin (*Department of Justice and Equality*), Graham Finlay (*UCD*), James Gallen (*DCU*), Sinead Gibney (*IHREC*), Nick Henderson (*Transparency International Ireland*), David Joyce (*Irish Congress of Trade Unions*), Mark Kelly (*ICCL*), Mary Lawlor (*Front Line Defenders*), Emily Logan (*IHREC*), Brendan McNamara (*Bahá’i Ireland*), Siobhan Mullally (*UCC*), Lianne Murphy (*Age Action*), Tracy Murphy (*Human Rights Unit, Department of Foreign Affairs and Trade [DFAT]*), Eilis Ni Chaithnia (*NWCI*), Bríd O’ Brien (*Human Rights Unit, DFAT*), Mary O’Callaghan (*Department of Justice and Equality*), Seán O’Connell (*Human Rights Unit, DFAT*), Caroline Phelan (*Human Rights Unit, DFAT*), Kirsten Roberts (*Independent*), Brian Sheehan (*GLEN*), Amy Sheils (*Human Rights Unit, DFAT*), Caroline Spring (*Department of Justice and Equality*), Olive Towey (*Concern*), David Turner (*Church in Chains*), (*National Women’s Council of Ireland*), Liath Vaughan (*Department of Justice and Equality*), Julian Waagensen (*Trócaire*), Colin Wrafter (*Human Rights Unit, DFAT*)

Mr Colin Wrafter (Human Rights Unit, DFAT) congratulated the Irish Human Rights and Equality Commission (IHREC) on being awarded ‘A status’ as a National Human Rights Institution. Mr Wrafter also congratulated Brian Sheehan of GLEN and Mark Kelly and Deirdre Duffy of ICCL for the recognition received for their work on the marriage equality referendum at the People of the Year Awards. On behalf of the Human Rights Unit, Mr Wrafter thanked Ms Bríd O’Brien for her contribution to the work of the Unit and welcomed Mr Eoin Flavin, who recently joined.

1. The Agenda was adopted.

2. The minutes of the meeting of 8 October 2015 were adopted.

3. Helena Keleher (OSCE, Council of Europe, UN Co-ordination and Conflict Resolution Unit, DFAT) gave an **update on the National Action Plan on Women, Peace and Security.**

The Women, Peace and Security (WPS) agenda is based on Resolution 1325 which was adopted by the United Nations in 2000. This resolution was a result of the conflicts in Rwanda and the Balkans and was largely supported by civil society. The WPS agenda aims to ensure that the rights and protection of women and girls are observed during and after conflict. There have been seven subsequent resolutions since 2000.

Ireland's first National Action Plan on Women, Peace and Security ran from 2011-2014. Ireland's second National Action Plan on Women, Peace and Security (2015-2018) was launched by Minister Flanagan TD in January 2015. The development of the plan involved extensive consultation and 37 written submissions were received. A consultative workshop was held with 100 statutory, civil society and academic participants.

The second National Action Plan has an increased focus on the empowerment and participation of women in conflict-resolution and peace-building. The Plan draws on Ireland's own experience in peace keeping, overseas development aid and contributions to post-conflict reconciliation on the island of Ireland.

The Oversight Committee for the second National Action Plan contains 18 members and is chaired by the former Minister for Justice Nora Owen. One year into the Plan, the Oversight Committee will carry out a midterm review. Feedback from the first National Action Plan suggested that reporting against the monitoring matrix was too procedural. As a result the Oversight Committee will now focus on thematic issues. Themes for 2016 include gender based violence in conflict related emergencies, women from conflict affected areas and countries living in Ireland and peace support operations. On 9 December 2015 the Oversight Committee visited Belfast in line with the theme Post-Conflict Reconciliation on the island of Ireland. The Committee met with the Secretariat of the Joint British-Irish Parliamentary Assembly and committee organisations.

Ms Keleher gave assurances that Ireland will continue to actively fight impunity for sexual violence at the ICC noting the work of Justice Rapid Response in gathering evidence which leads to prosecutions. She highlighted that work across the Government is carried out through a lens of Women, Peace and Security giving the example of the signature of the Istanbul Convention in November 2015.

Ms Siobhán Mullally (UCC) asked if the changing context in Europe regarding migration, including reports by the OHCHR on sexual violence in relation to women on the move, was an opportunity to influence the domestic agenda more. **Ms Keleher** replied that the members of the Oversight Committee are seized of the current situation. She highlighted the Chair's engagement with Irish Refugee Protection Taskforce and the fact that the Plan is a living document that can be updated. **Ms Keleher** noted that the Humanitarian Unit of the Department of Foreign Affairs and Trade is also actively involved in the matter.

Ms Mullally asked what cooperation on WPS was occurring with the Irish Navy given their missions in the Mediterranean Sea. **Ms Keleher** responded that the Defence Forces representative represents the Defence Forces as a whole, including Naval Service, and that on the whole most of Ireland's engagement had been in the context of peace support operations,

but that this would not preclude greater engagement with the Naval Service in particular in the context of the gender aspects of the Naval Service participation in humanitarian search and rescue operations.

Ms Mark Kelly (Irish Council for Civil Liberties) enquired whether monitoring for the second National Action Plan would continue to include hard indicators and detailed mappings. **Ms Kelleher** confirmed that while the meetings of the Oversight Committee will be thematic, the Mid-Term Progress Report will report against the monitoring framework.

Ms Olive Towey (Concern) brought to the attention of the Standing Committee that a high level meeting is to take place in the UK on 4 January 2016 in relation to Syria and highlighted the importance of keeping this issue amplified. **Ms Kelleher** responded that the theme of the next Oversight Committee meeting in February 2016 will be gender based violence in conflict-related emergencies and preparations for Ireland's input into the forthcoming World Humanitarian Summit.

Ms Eilís Ní Chaitnía (National Women's Council of Ireland) informed the Standing Committee that NWCi will undertake a consultation with its members which would feed into the midterm review process. **Ms Kelleher** welcomed this initiative.

4. Ms Layla de Cogan Chin (Department of Justice and Equality) gave an update on **Preparations for Ireland's 2nd examination under the Universal Periodic Review (May 2016)**. **Ms de Cogan Chin** outlined that the consultation stage was nearly finished. The call for written submissions received 53 responses. The main issues which arose in the submissions included abortion, health services, housing and homelessness, racism and hate crime, austerity, rights of people with disabilities, direct provision and supports for asylum seekers, mental health services, human trafficking, historical abuse of women and children including Magdalene laundries and symphysiotomy, traveller and Roma issues and children's rights.

Ms de Cogan Chin recalled the UPR public and civil society consultation which was held on 11 November 2015 and thanked the members of the Standing Committee and their representatives who attended. The Department of Justice and Equality was happy with the level of participation. **Ms de Cogan Chin** stated that the Department of Justice and Equality was in listening mode at the consultation and sought to harvest information. A report of the issues raised and the consultation was distributed around the room.

Ms de Cogan Chin highlighted that consultations with children and young people were underway. 12,500 questionnaires were sent through the Irish Primary Principals' Network and Comhairle na nÓg. **Ms de Cogan Chin** stated that the process was child led and designed in cooperation with the Department of Youth and Children Affairs. The Department of Justice and Equality has engaged a researcher who will produce a report of the results for the Department and a child friendly version of the results which will be sent to the children and young people who participated.

Ms de Cogan Chin stated that the deadline for submission of Ireland's national report to the

United Nations was the 4 of February 2016. She highlighted that the word count is quite limiting at 10,700 words. A skeleton report has been drafted and submitted to Government Departments. The national report will be brought to the Government by mid-January 2016.

Mr Mark Kelly (Irish Council for Civil Liberties) welcomed the level of engagement and work by the Department of Justice and Equality on the UPR. **Mr Kelly** invited Committee members to the launch of the *Your Rights. Right Now* civil society stakeholder report on Tuesday 15 December 2015 in the Westbury Hotel. The report involved a coalition of 17 NGOs, trade unions, and civil society groups. The report recognises that the government has implemented a number of recommendations which it rejected in the first UPR and points out areas where progress is yet to be made.

Ms Kirsten Roberts (Independent) asked how the national report will reflect previous steps taken since Ireland's first UPR. **Ms de Cogan Chin** stated that the steps taken would be referenced in brackets with the recommendation numbered.

Ms Edel Quinn (Children's Rights Alliance) asked whether the report of the consultation with children and young people will be included in Ireland's national report. **Ms de Cogan Chin** replied that a link to the report on the consultation will be included in the national report.

Mr Wrafter referred to the UPR Info website as a good source of information on the UPR process.

Ms de Cogan Chin stated that the Department of Justice and Equality intends to put written submissions on its website subject to approval from those who had participated.

Mr Martin Collins (Pavee Point) asked if there was an update on the Council of Europe's Framework Convention for the Protection of National Minorities (FCNM). **Ms de Cogan Chin** stated that she would bring it to the attention of her colleague in the Department of Justice and Equality who deals with the issue.

Mr Brendan McNamara (Bahá'í Ireland) asked if the results of the consultation with children and young people would be used as an educational tool. **Ms de Cogan Chin** replied that the format of the report has yet to be decided.

5. Ms Mary O'Callaghan (Department of Justice and Equality) spoke about the **National Preventative Mechanism under OPCAT: Proposals for Criminal Justice Inspectorate**. The Criminal Law Reform Division, Department of Justice and Equality (DJE), is working on the Inspection of Places of Detention Bill and in this process some gaps have been identified which must be addressed before progress toward the ratification of the Optional Protocol to the Convention against Torture (OPCAT). The key requirement in terms of legislating for OPCAT is to provide for a National Preventative Mechanism/s (NPMs). Last year the Joint Oireachtas Committee on Justice, Equality and Defence proposed the establishment of a Criminal Justice Inspectorate (CJI). At the moment DJE has commenced a consultation process examining these issues. One possible approach is to provide a Criminal Justice Inspectorate that would

incorporate the NPM structure for OPCAT but no decisions have been taken on this and the consultation process will inform how these issues move forward.

On the 23 November DJE hosted an “Open Policy Debate: Proposals for a Criminal Justice Inspectorate”. The speakers represented different views: those whose preference is for specific inspectorates to carry out human rights focused inspections, e.g. OPCAT type inspections; and those who saw merit in a broad based CJI. Preparation of legislation to enable ratification of OPCAT falls to DJE, however all areas of detention, not only criminal justice detention, must come within the scope of an NPM/s and so engagement from all Departments concerned is necessary. Currently there are effective inspection systems for the bulk of the Criminal Justice Sector, however, there is no OPCAT suitable inspectorate for Garda Síochána custody areas. **Ms O’Callaghan** also noted that the Probation Service which lacks a formalised inspectorate could benefit from an overarching inspection system. DJE is conscious that an NPM should be independent and have sufficient resources for operating.

The process is at an early stage. It may be proposed that the best way to move forward is with a CJI that includes the NPM function, but **Ms O’Callaghan** stressed that no decision has been made yet and that DJE are still in the consultation process. DJE is utilising this engagement with civil society and academia at this early stage to contribute to the development of ideas. DJE is also conscious of the limited resources in terms of inspection expertise in the State and the need to maximise the value of those resources.

Ms O’Callaghan pointed out that the Minister for Justice and Equality, Francis Fitzgerald T.D., participated and stayed for the entire Open Policy Debate. DJE will develop an options paper, incorporating material from the 23 November Open Policy Debate and research on international best practice consultation will continue. **Ms O’Callaghan** also noted the Irish Penal Reform Trust’s (IPRT) conference on 27 November, “Securing Accountability: Building effective prison monitoring, inspection, and complaints systems”.

Ms Emily Logan (Irish Human Rights and Equality Commission) offered DJE the support of IHREC going forward with discussions on OPCAT and a CJI. She also pointed out that DJE’s roadmap for ratification of the Convention on the Rights of Persons with Disabilities was very useful and suggested a similar roadmap could assist in ensuring a strong NPM.

Mr Mark Kelly (Irish Council for Civil Liberties) complimented the consultation event that took place on 23 November. He highlighted the need for national consultations to continue with civil society space and IHREC, and he spoke about the willingness of the UN Sub Committee for the Prevention of Torture (SPT) to work with States in the development of NPMs.

Ms Siobhan Mullally (UCC) highlighted the issue of trafficked women in immigration related detention centres. In other States NPMs have played an important role in inspecting these facilities.

Fiona Crowley (Amnesty International Ireland) raised the issue of detention in mental health and de facto detention in residential services for people with intellectual disabilities and nursing homes. These are areas which must be considered when designing an NPM.

Ms O’Callaghan concluded by referencing that NPMs look at people detained by order of the State and throughout the consultation process all areas will be looked at, including where there may be a small number of detainees. Military detention is an example of where this might be the case.

6. Mr Dermot Fitzpatrick (Disarmament and Non-Proliferation, DFAT) gave an account of **Ireland’s role at the recent 70th session of the UN General Assembly, First Committee.** **Mr Fitzpatrick** reported that Ireland played an active role in five main resolutions: Ethical Imperatives for a nuclear weapons free world; Humanitarian Consequences of nuclear weapons; Humanitarian pledge for the prohibition and elimination of nuclear weapons; Towards a nuclear weapons free world: accelerating the implementation of nuclear disarmament commitments; and, Taking forward multilateral nuclear disarmament negotiations.

With regards to multilateral nuclear disarmament negotiations, the resolution mandated the formation of an open-ended working group to aim towards disarmament. The group will operate under majority voting, not consensus. A competing Iranian resolution had proposed an open-ended working group operating under rules of consensus, but this was not accepted. Ireland aims for the Group to be as inclusive as possible and to gain as much participation from nuclear states as possible.

The Humanitarian consequences and Humanitarian pledge resolutions were based on a previous Austrian resolution in 2011. Taken with the Ethical Imperatives resolution, this represented the first time that a clear majority agreed that nuclear weapons are immoral. This marks a shift in the debate from one of security concerns to one about ethical and humanitarian concerns.

Mr Fitzpatrick noted that this has received a positive response from NGOs. This year was the first time NGOs were allowed a more influential speaking position. Having previously spoken at the end of the First Committee, this year they spoke at the end of the general debate and before the votes which allowed them greater influence. Ireland supports this and calls for a growing role for civil society.

Mr Fitzpatrick’s overall assessment is that there is a renewed momentum in the disarmament debate and Ireland hopes to make progress on the open ended working group. Ireland was also pleased with the outcomes of conventional weapons resolutions, particularly the passage of the cluster munitions resolution, which passed with a comfortable majority.

Mr Colin Wrafter thanked Mr Fitzpatrick for the update and welcomed the shift in focus of the debate on nuclear weapons from one of security concerns to one on an ethical and humanitarian basis.

Items 7 & 8. Amy Sheils (Human Rights Unit, DFAT), gave an update on the **UN Forum on Business and Human Rights (16-18 November 2015)** and **Ireland’s National Plan on**

Business and Human Rights.

The Working Outline of the National Plan on Business and Human Rights (Working Outline) was published on the Department's website on 10 December, and written submissions are welcomed by 29 January. There will be an open consultation to exchange views and ideas on the Working Outline on 22 January in Iveagh House.

The Working Outline is based around the three pillars of the United Nations Guiding Principles (UNGPs). It aims to set out the current state of play in relation to actions which can be deemed to already assist in the implementation of the UNGPs, and it sets out the actions which can be taken over the next 2 to 3 year period to further the implementation of the UNGPs. The Action Points are highlighted in boxes throughout the Plan and they will form the basis of sustained commitment to the Plan by the State.

Ms Sheils explained the substance of the Plan in parallel with discussions from the UN Forum on Business and Human Rights. The fourth annual United Nations Forum on Business and Human Rights was held in Geneva from 16-18 November, and was attended by Seán O'Connell (HRU) and Amy Sheils (HRU) and colleagues from the Permanent Mission of Ireland to the United Nations in Geneva. The Forum is a space for representatives and practitioners from civil society, business, government, international organizations and affected stakeholders to take stock of challenges and discuss ways to move forward on putting into practice the Guiding Principles on Business and Human Rights. The Forum was established by the Human Rights Council, and is guided by the United Nations Working Group on Business and Human Rights.

Ms Sheils and colleagues attended many workshops and sessions, on topics including National Action Plans (NAPs), access to remedy, Development Finance Institutions, human rights due diligence, the incorporation of the UNGPs in global governance frameworks, and Small and Medium Enterprises (SME). The Business and Human Rights Journal was also launched, of which Shane Darcy, Irish Centre for Human Rights, is a member of the Editorial Board.

The theme of the Forum was "Tracking Progress". There was a lot of discussion on how to measure progress on the UNGPs and what kind of data should be collected, especially in terms of State progress. NAPs are one element of this, the Universal Periodic Review process was also touted as a possible tool.

National baseline assessments were seen as a viable tool for measuring progress, and in Ireland's Working Outline, Action Point 8 is to "Commission a study to conduct a comprehensive baseline assessment of the legislative and regulatory framework pertaining to business and human rights as it applies in Ireland." National Human Rights Institutions were also seen to play a role in monitoring implementation.

The role of NAPs was seen as valuable in terms of triggering a demand for information, drawing Government bodies together, constituting a governance constellation for business and human rights and providing information to civil society. There are currently 10 NAPs (8 EU Member States and Norway and Colombia) published and 24 NAPs under development.

There was also discussion at the Forum on challenges and lessons learned on National Plans,

and Ms Sheils gave an overview of this, in reference to the Working Outline. The ideal NAP is independent and comprehensive, but it has been recognised by the UN Working Group that business and human rights may be incorporated into existing human rights plans or Corporate Social Responsibility (CSR) plans. We view this as a distinct issue from CSR so, rather than try to shoe-horn it in, we have created a separate and independent National Plan.

NAPs create a national dialogue which leads to an end product, and there is no standardised, one-size-fits-all version. References can be very useful however, and a very comprehensive tool in this regard has been the Toolkit for National Action Plans on Business and Human Rights, which has informed the drafting of our plan.

The importance of cross-stakeholder engagement was repeatedly discussed at the Forum. Consultations need to be extensive and inclusive of civil society and business. This is why the document we have published is called a Working Outline. We look forward to another round of consultation with both civil society and business so that we can have a balanced National Plan.

A main point from the discussions is the risk that the NAPs produced are only declaratory in nature, and that without following up and monitoring, there will be no impact. An assessment of existing NAPs showed that follow-up is an essential component for a meaningful NAP. For this reason the Working Outline lays out four actions points with regard to follow up of the Plan:

- Inter Departmental Committee on Human Rights
- NGO Standing Committee – regular item on this agenda
- Establish a Business and Human Rights Implementation Group to discuss the implementation of the plan. This group will comprise of representatives from Government, the business community and civil society
- Use the DFAT NGO Forum to review the plan two years after its adoption.

The importance of the Sustainable Development Goals (SDGs) was discussed, in particular the more relevant goals, as a framework through which to implement the UNGPs and monitor them. There was a focus on the buy-in from private companies who were involved in the discussions of the post 2015 agenda. In the Working Outline, Action Point 36 is to “Promote business and human rights issues in global policy processes within the framework of the 2030 Agenda for Sustainable Development, in particular through Sustainable Development Goals 8, 1 and 5.”

It is very important not to forget SMEs in a NAP. Given that in Ireland, the vast majority of companies are SMEs, we have paid special attention to ensuring that the National Plan takes them into account through providing tailored guidance on the UNGPs (Action Point 47).

There was a lot of discussion around human rights due diligence and the difficulty in defining and establishing parameters for it. There was an emphasis on the need for human rights due diligence to be “context specific”. We have tried to make human rights due diligence one of

the priorities of this plan, and Chapter 3 is dedicated to it. The conclusions from discussions at the Forum, and what is reflected in the Plan, is that the risk-based approach to human rights due diligence allows companies to tailor their efforts according to their size, where they operate, and their business activities. It is one of the most complex areas of business and human rights and a very important action in the Plan is to pursue a better understanding of the principles governing human rights due diligence for companies.

Access to remedy is crucial and there was a lot of discussion on UNGP Pillar 3. A very important development in this regard is the Office of the High Commissioner on Human Rights (OHCHR) initiative to enhance access to judicial remedy, which was launched in November 2014. States were asked to report on domestic law and OHCHR are finalising recommendations which will be delivered to the Human Rights Council in June. Ireland has been active in this process. There was discussion around corporate-based remedies, and also what role human rights due diligence has to play, but always bearing in mind the victim. Any remedy that includes business should not be seen to circumvent an individual's access to the courts.

To conclude **Ms Sheils** explained that the Working Outline is the result of the consultation process at the Forum last year, the submissions received, the consultation with business and consultation with Government Departments. Ms Sheils welcomed any initial views from Committee members present, and noted that any comments would be reflected in the note and circulated that to all Government Departments.

Ms Karol Balfe (Christian Aid Ireland) asked whether the financing for development agenda, the SDGs or tax justice in the context of business and human rights was discussed at the Forum. Also, how engaged are business enterprises in Ireland in the development of the Plan.

Ms Mullally (UCC) pointed out that the UK Anti-Slavery Commissioner would be visiting Dublin in January. She asked whether the development of indicators for SDGs was discussed at the Forum.

Fiona Crowley (Amnesty International Ireland) inquired whether there was a particular format for submissions and if there would be a further draft for review after submissions. She also asked whether there would be any baseline assessment of current legislation before the plan is finalised.

Mr Wrafter asked that submissions be as succinct as possible, and he said could not promise that there would be another draft.

Mr Seán O'Connell (Human Rights Unit, DFAT) explained that there was a session focused on SDGs at the Forum. Business enterprises were keen to see that the indicators being adopted to measure the SDGs could also be used to monitor both State and company compliance with the UNGPs on Business and Human Rights. Tax justice was raised as an issue, in particular by representatives of Action Aid, in different sessions throughout the Forum but there was no specific session on tax justice.

Noeline Blackwell (FLAC) noted that she would also welcome seeing other organisation's submissions.

Mr Wrafter concluded by asking the Committee members to get in touch if they had any suggestions for speakers for the business and human rights consultation to be held in January.

9. Ms Caroline Phelan (Human Rights Unit, DFAT) gave an overview of **the 70th Session of the UN General Assembly Third Committee**, and Ireland's role in the negotiation of several resolutions. **Ms Phelan** reported that the Committee has concluded and the resolutions are before the General Assembly. **Ms Phelan's** overall assessment was that this year was marked by a more confrontational and politicised atmosphere during negotiations. Votes had been called on several resolutions which have traditionally been adopted by consensus. These included resolutions on human rights defenders, the rights of the child and on the UN and its role in elections. She commented that there is a concern that this may set a precedent.

Ms Phelan noted that several new resolutions were put to the Committee. These included a resolution proposed by Ukraine on the situation in Crimea. Following consultation with EU Member States a statement was instead delivered with support from over 30 countries. A resolution on albinism was tabled by Tanzania; Argentina proposed a resolution on the rights of older people; and, a cross regional group put forward a resolution which focused on accessibility at UN buildings.

Ms Phelan also mentioned several resolutions on which the EU had taken a lead role, , including the resolution on Myanmar which was adopted by consensus; the EU-Japan resolution on DPRK which was adopted by vote; and, the EU resolution on Freedom of Religion or Belief, also adopted by consensus. She noted there was a similar resolution put forward by Egypt on behalf of the OIC (Organisation of Islamic Cooperation).

There were protracted discussions on the EU-GRULAC resolution on the Rights of the Child. This year's theme was education and there were protracted discussions on the paragraph regarding comprehensive sexual education (CSE). Proposals to delete the paragraph were defeated. However, a vote was called on the resolution which has traditionally been adopted by consensus. GRULAC will lead the drafting of the resolution on the Rights of the Child next year; the theme will be migrant children.

Ms Phelan noted that another challenging initiative was the resolution on Human Rights Defenders. The Africa Group submitted 39 amendments on the draft resolution. A vote was called for the first time and there was a split within the Africa Group. As the EU burdensharer, Ireland was very active in the negotiations and lobbying for the resolution. Some positive outcomes include the EU co-sponsorship, that there were references to reprisals against human rights defenders and their families, and also to arbitrary arrest and detention, in the final text. **Ms Phelan** advised the Committee that Ireland is currently working to increase support before the General Assembly vote and that and Irish Missions would lobby in capitals.

Ms Mary Lawlor (Front Line Defenders) thanked Mr. Wrafter and the Department for the work on the Human Rights Defenders resolution. She noted the worrying, general trend towards increased repression and restrictions on HRDs, including killings. She also made note of repression in relation to of funding and registration requirements, particularly in Russia and

China. **Ms Lawlor** commented on how repression of human rights defenders can be related to business issues, describing how often killings are connected to issues such as the environment, land rights and the rights of indigenous people, occurring particularly in Asia and Latin America. She described as a worrying development the fact that 40 countries had abstained from voting on the resolution, and called for an automatic condemnation from the EU in response to the killing of human rights defenders.

Mr Julian Waagensen (Trócaire) also commented upon the particular clampdown on human rights defenders in Asia and Latin America. He brought up the recent case of a human rights activist from Myanmar who had visited Ireland and whose husband was arrested as a consequence of her activism while she was away. He commended Ireland's efforts in keeping issues relating to civil society space at the Human Rights Council, and noted in particular the work of the Mission in Nairobi in supporting efforts to stem the flow of restrictive laws in Kenya. He felt the global trend was moving the wrong way, and while funding and administration restrictions may not grab headlines in the same way as killings, the effect on repression of human rights can be the same.

Mr David Turner (Church in Chains) enquired with regards to the move towards a more confrontational atmosphere, and wished to know whether it was any countries in particular or bloc of countries. With regards to resolutions on freedom of religion and belief, he contrasted the EU position that is based on the rights of individuals to hold or change their religion or belief and the alternative position put forward by the OIC that rights are inherent in religions themselves.

Mr Brendan McNamara (Bahá'í Ireland) acknowledged the work of the Department at the Third Committee. He also described a poor human rights situation for many in Iran including the Baha'i community.

Ms Siobhán Mullally (UCC) queried what other resolutions had emerged with references to comprehensive sexual education and reproductive health and about the position of Ireland and the EU with regards to these resolutions.

Ms Phelan (DFAT) advised that there were several resolutions with references to CSE and sexual reproductive and health rights including: Policies and Programmes involving youth; Violence against women migrant workers; and The Girl Child. Ireland's positions on these were taken on the basis of the overall content of the resolutions.

Mr Wrafter (DFAT) responded to Mr Turner's query, describing how there is a degree of tension between the two resolutions as put forward by the OIC and the EU, but as it stands both are being tolerated. He also commented that this issue concerns not only UN resolutions but real concerns on the ground, including the rise of Islamophobia in Europe.

With reference to the human rights defenders resolution, **Mr Wrafter** informed the Committee that Ireland is lobbying on this at the moment, and although the position taken by some States was disappointing, the shift in position from South Africa was a very positive development.

10. Mr Seán O’Connell (Human Rights Unit, Department of Foreign Affairs and Trade) updated the committee on **Ireland’s work at the 23rd Session of the Universal Periodic Review mechanism of the UN Human Rights Council.** Mr O’Connell reported that Ireland has continued to be active in the UPR process and has intervened on almost all country’s reviews in the past two years. The 23rd Session of the UPR reviewed the following 14 States: Micronesia; Lebanon; Mauritania; Nauru; Rwanda; Nepal; Saint Lucia; Oman; Austria; Myanmar; Australia; Georgia; Saint Kitts and Nevis; and, São Tomé and Príncipe. He noted that this was the last session for Ireland as a member of the Human Rights Council and there were Irish interventions on every country reviewed. Statements by Ireland on each country’s review over the last two years are available on the DFAT website.

Dr James Gallen (Dublin City University) enquired as to the discussion on Nepal and whether there was any mention of the disappearances in the Terai region of the country.

Mr O’Connell noted that Ireland’s statement broadly addressed the situation for journalists and human rights defenders in Nepal, and recommended that Nepal resists restrictions on civil society space. Ireland’s recommendations were in line with the two nationally led initiatives at the Human Rights Council, namely the protection of civil society space and preventable morbidity and mortality of children under five.

David Turner (Church in Chains) asked about Ireland’s interventions in the future and on what grounds would Ireland aim to intervene.

Mr Wrafter replied that Ireland will continue to bring to attention various concerns, but will have to focus attention in terms of countries where Ireland has a presence already, where there is a degree of familiarity regarding the country-specific situations, and where issues arise with which Ireland already have a profile. This coming May, as Ireland will be under review, he noted that it may be difficult to achieve a wide spread of attention.

11. Mr Colin Wrafter (DFAT) updated the Committee on the **preparations for the upcoming DFAT NGO Forum on Human Rights to be held on 19 February 2016.** Mr Wrafter described the structure of the event, which is intended to have 3 panel sessions on 3 separate themes. He also thanked **Ms Mary Lawlor** (Front Line Defenders) for the suggestion to include Mr Ruki Fernando as a speaker.

Ms Eilís Ní Chaithnía (NWCI) asked whether the briefs to speakers would include a gender dimension.

Mr Wrafter responded that there was no specific focus on gender as of yet, but that this would be considered further. He also commented that there had been no Forum dedicated to gender issues so far, and that the NWCI/IHREC conference on the subject earlier this year had been excellent and that this was a possible consideration for next year’s Forum.

Mr Martin Collins (Pavee Point) suggested more interactive segments should be included in the event such as break-out groups or workshops. **Ms Lawlor** echoed Mr Collins’ suggestions on more interactive sessions.

Mr Wrafter replied that this would be reflected upon, and that there would be a more specific emphasis on particular issues in the briefs provided to speakers. He also noted that there would be a feedback questionnaire distributed in order to gain input of attendees in terms of the effect of the event and suggestions for the future.

Ms Siobhán Mullally (UCC) commented as regards to gender as a possible topic for next year, that Ireland would be considered by review under CEDAW in 2017, and this could perhaps be a further consideration in choosing next year's theme. **Mr Wrafter** thanked Ms Mullally for this point, and stated that this would be taken into consideration.

12. Under AOB Ms Noeline Blackwell (FLAC/FIDH) inquired into Ireland's follow-up to the review by the UN Committee on Economic, Social and Cultural Rights on the 8 and 9 of June 2015. In particular, Ms Blackwell asked what is being done now, around the relevant Government Departments, as a follow-up to the Concluding Observations issued by the Committee. There were many issues affecting vulnerable groups highlighted in the Concluding Observations that required urgent action and an update in this regard should be provided now six months on.

Mr Mark Kelly (ICCL) echoed the concerns of Ms Blackwell and noted that the issues of weak State follow-up to human rights reporting obligations and the lack of a formal mechanism for this purpose had come up for discussion regularly. The Inter Departmental Committee on Human Rights is the correct vehicle to drive these issues and assume the coordinative role for follow-up to human rights recommendations. **Mr Kelly** inquired into the status of the Committee and any updates on when it will meet again.

Mr Wrafter pointed out that many Government Departments had provided updates on their respective efforts in delivering on the Concluding Observations issued by the Committee since June, including the Departments of Children and Youth Affairs, Education, Environment, Community & Local Government and an Taoiseach. **Mr Wrafter** further pointed out that many Government policy decisions and priorities were in line with the issues raised under the Concluding Observations, demonstrating that individual Departments do follow-up on the UN human rights recommendations or observations. **Mr Wrafter** acknowledged the useful role the Inter Departmental Committee could play in this regard and would provide an update to members on its activity at the next meet of the Standing Committee.

Human Rights Unit, Department of Foreign Affairs