



Coalition 2030

**Submission to the Consultation of the Department of Children, Youth, Equality & Disability on
Ireland's National Report on its 3rd Cycle Universal Periodic Review**

12 March, 2021

1 Introduction

1.1 Coalition 2030 is an alliance of 75 civil society organisations and networks¹. These organisations come from the international development, environment, social inclusion/anti-poverty, trade union and academic sectors. We are committed to upholding Ireland's commitment to achieving the Sustainable Development Goals (SDGs) at home in Ireland and in over 50 countries by 2030

1.2 Coalition 2030 welcomes the opportunity to respond to this consultation. Regarding the consultation process, we note with concern the limited approach undertaken to date, the lack of civil society engagement and absence of Ministerial involvement. A single email by the Department calling for submissions without any meetings, a dedicated webpage or information sessions or an outline of the Government's approach to the UPR, is inadequate and does not align with public participation obligations or Ireland's prioritisation of civil society space in its own UPR recommendations. It is also disappointing that no information has been circulated regarding the UN OHCHR's parallel consultation process for Ireland's review. This unsatisfactory approach is in stark contrast with that undertaken for Ireland's second cycle review which involved an Interdepartmental Committee coordinated by the Department of Justice and Equality, a dedicated website (upr.ie) and consultation events with civil society. **We strongly urge the Department to address this issue and ensure proper public participation and consultation as a matter of priority.**

1.3 The promotion and protection of human rights is inextricably linked with the achievement of the Sustainable Development Goals. The 2030 Agenda, adopted in 2015 affirms that the 17 Sustainable Development Goals (SDGs) "seek to realise human rights of all" and pledges to "leave no one behind". The Human Rights Council has recognised that the promotion and protection of human rights and the implementation of the 2030 Agenda are interrelated and mutually reinforcing.

1.4 Coalition 2030 has not had an opportunity to undertake an extensive analysis of Ireland's SDG delivery in the context of the UPR. Our main message is that the Sustainable Development Goals should be a guiding framework for Ireland's forthcoming UPR. At this stage, **we recommend in particular** that the national report should:

- Address current and planned policies relating to Ireland's delivery of the Sustainable Development Goals, given their relevance to the state's respect for, and adherence with, international human rights treaty obligations.
- Set out how the state is implementing a coordinated cross-government approach to SDG delivery through a new national plan with time-bound commitments and timelines, clear governance and monitoring arrangements, broad public consultation, and measures to ensure compliance with the SDG principles to reach the furthest behind first and ensure no one is left behind.

Coalition 2030 would welcome the opportunity to discuss these issues with relevant Departments.

2 Sustainable Development Goals, the UPR and Treaty Obligations

2.1 There is a considerable body of research which addresses the contribution of the SDGs, and associated targets, to the realization of human rights. For example, the SDGs which address poverty, social security, food security, health, education, housing, water and sanitation include many elements of the rights provided by the International Covenant on Economic, Social and Cultural Rights.² The Universal Periodic Review should be used to support the monitoring and review processes of the Sustainable Development Goals.

¹ See <https://www.ireland2030.org/about-us>. Our full membership is available [here](#).

² Geneva Academy Economic, Social And Cultural Rights And Sustainable Development Goals May 2018

2.2 UN treaty bodies have included the monitoring of the SDGs in their review of states parties' reports and made recommendations linking SDG implementation and ICESCR in concluding observations.³ The Committee on Economic, Social and Cultural Rights has also carried out analysis on the relationship between treaty obligations and the 2030 Agenda, including recommendations for states.⁴

3 Ireland's UPR and SDG policy

3.1 Ireland's 2016 national UPR report (A/HRC/WG.6/25/IRL/1) highlighted Ireland's leadership role in co-facilitating negotiations which led to the Sustainable Developments (see para.166). Ireland's report correctly underlined that '*the 2030 Agenda for Sustainable Development emphasises the responsibility of all States to respect and protect human rights without discrimination*'. Kenya and the USA also noted Ireland's engagement in establishing the Sustainable Development Goals.

3.2 The 2016 review of the state by the Committee on the Rights of the Child based its recommendations concerns resources and supports on target 2 of Sustainable Development Goal 16 to end abuse, exploitation, trafficking and all forms of violence against and torture of children.⁵

3.3 The Committee on the Elimination of Discrimination against Women in 2017 in their review of Ireland's compliance called for the realization of gender equality "in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development". The Committee also called for disaggregated data in order to track SDG progress.⁶

3.4 It is important that Ireland's response builds on these recommendations and address both SDG policy developments since 2016 and outlines planned activities. Ireland's national report should **address the following policies**:

- Progress on Ireland's National Implementation Plan on the Sustainable Development Goals 2018-2020 and Ireland's forthcoming new implementation plan
- Previous and proposed stakeholder engagement, including the continuation of the SDG Stakeholder Forum, which was progressed by the Department of Environment, Climate and Communications in 2018 and 2019
- The State's Voluntary National Review in 2018.
- The introduction of 'SDG Champion' organisations in 2019.

3.5 Ireland should **utilise** the SDGs as a driver for accelerating their human rights performance. Several SDG targets directly reflect elements of international human rights standards. Accordingly for its third reporting cycle, Ireland should take the opportunity to ensure joint implementation of SDG commitments and human rights obligations. An important part of this process is that the state's human rights reporting is linked to the Sustainable Development Goals. In line with the UN OHCHR Universal Rights Index, Ireland should **structure its national report around the Sustainable Development Goals** and highlight which SDG sub-target(s) it is progressing when addressing previous country and Treaty body recommendations.⁷

³ Geneva Academy, Academy briefing n°11, [No One Will Be Left Behind](#): The Role of United Nations Human Rights Mechanisms in Monitoring the Sustainable Development Goals that Seek to Realize Economic, Social and Cultural Rights, January 2018.

⁴ Committee on Economic, Social and Cultural Rights, The pledge to leave no one behind: the International Covenant on Economic, Social and Cultural Rights and the 2030 Agenda for Sustainable Development Statement by the Committee on Economic, Social and Cultural Rights, 5 April 2019

⁵ See CRC/C/IRL/CO/3-4

⁶ See CEDAW/C/IRL/CO/6-7

⁷ see <https://uhri.ohchr.org/en/>

3.6 Coalition 2030 notes the accepted UPR recommendation of the Maldives “to take steps to move towards increased renewable energy production, in-line with their pledges on Climate Action”. It is also essential that the national report addresses amending legislation to the 2015 Climate Act and the delivery of relevant climate and energy commitments in the Programme for Government, including the climate action plan.

4 Just Recovery

4.1 The unprecedented health, economic and social crisis impacts of Covid-19 are making the achievement of SDGs even more challenging. While the Covid crisis has seriously jeopardised progress on the SDGs, it also makes their achievement all the more urgent and necessary. It is imperative that Ireland pursues a just and transformative recovery from Covid-19 which integrates human rights protections and prioritises the cross-cutting SDG targets, and its associated monitoring framework, as the roadmap to increase resilience for the most vulnerable communities and workers across our society. It is recommended that the **national report sets out how both the forthcoming National Economic Plan and National Resilience and Recovery Plan** will be assessed to ensure compliance with human rights obligations and includes information on how the Sustainable Development Goal framework has been integrated into their delivery.

4.2 In 2020, Coalition 2030 collaborated with several other civil society organisations to produce “[A Shared Vision for a Just Recovery](#)”. The landmark joint statement endorsed by 14 national coalitions and more than 50 organisations from all sectors of Irish civil society, from trade unions to women’s and youth advocates, to community and homelessness organizations. The joint statement is structured around six key principles:

1. Protect and invest in public services, prioritising public health and wellbeing
2. Invest in people
3. Deliver faster and fairer climate action and restore and protect nature
4. Build solidarity and community across borders
5. Ensure inclusive and participatory decision-making
6. Redefine progress through a focus on wellbeing and sustainable development

The joint statement (which is available [here](#)) sets out the steps necessary for a fair and sustainable recovery from the social and economic shock of the Covid-19 pandemic in the context of these 6 principles. Our vision is for a just recovery in Ireland, the EU and internationally that results in open, fair, equal and healthy societies, flourishing within the ecological limits of our one planet.

4.3 The COVID-19 pandemic is reversing progress made towards the SDGs both in Ireland and globally and without proper assessment and consultation there is the risk that recovery measures fail to reach the most vulnerable and undermine human rights protections. Coalition 2030 has not had the opportunity to address these issues in detail. At this stage, we would underline that the national report should address several relevant Programme for Government commitments. These include commitments to:

- *Publish a new national Action Plan against Racism.*
- *Develop and implement a new Migrant Integration Strategy.*
- *Remove the Direct Provision System and act on interim recommendations from the Chair of the Expert Group to improve conditions for asylum seekers currently living in the system.*
- *Implement the National LGBTI+ and the LGBTI+ Youth Strategy,*
- *Implement a National Traveller Health Action Plan and review the National Traveller and Roma Inclusion Strategy*
- *Develop and implement a new National Strategy for Women and Girls.*
- *Respond to each recommendation of the Citizens’ Assembly on gender equality.*
- *Expand the Equality Budgeting Programme across government departments and agencies.*

- *Strengthen rights through the UN Convention on the Rights of People with a Disability*
- *Expand and enhance the in-school speech and language pilots to improve the delivery of therapies in schools.*
- *Ensure that students with additional needs get the right assistance, at the right time, building on the learnings from the pilot currently underway, and subject to further consultation.*
- *Enshrine disability rights by finalising the legislation required following Ireland’s recent ratification of the UN Convention on the Rights of People with Disabilities (UNCRPD).*
- *Implement a consultation and participation model, in line with the UNCRPD, to enable people with disabilities to participate in the policy development process.*
- *Ratify the Optional Protocol to the UNCRPD after the first reporting cycle.*
- *Ask the Special Rapporteur on Child Protection to review how children’s rights and best interests can be protected in the context of the recognition of parentage, in cases of assisted human reproduction and surrogacy.*
- *Initiate a new Anti-poverty, Social Inclusion and Community Development Action Plan framed around the 17 UN Sustainable Development Goals, underpinning sound community development practices, and reflecting a response to the COVID-19 pandemic and its impact on poverty and social inclusion.*

Coalition 2030 would welcome the opportunity to provide more detailed information on delivery of these commitments at a later date.

5 Policy Coherence and International Cooperation

5.1 In the 2020 OECD DAC review of Ireland's overseas development aid, the OECD recommended that Ireland should “*develop mechanisms for analysing the impact of its domestic policies on developing countries, identify potential inconsistencies, discuss action to address these with all stakeholders, and ensure that progress is monitored.*” Ex ante and ex post assessments are equally necessary to address potential policy inconsistencies and examine overseas impacts of expenditure decisions in accordance with SDG target 17.4. The national report should set out the procedures to ensure policy coherence for sustainable development, including how the state is analysing domestic policies with human rights obligations and the Sustainable Development Goals and taking corrective or mitigating action.

5.2 The obligation in Article 2 to deliver on ICESCR rights through international cooperation is also relevant to the abovementioned areas. The report should highlight how the state is taking forward the Programme for Government commitment to ensure that ‘ensure that all Irish aid is spent in a way that is in full compliance with the UN Sustainable Development Goals’. In this context, it is also important that it addresses how Ireland is working towards the 0.7% ODA UN target, including steps to ensure that climate finance allocations will increase, alongside increases in overall ODA.⁸

5.3 The Covid-19 pandemic is equally having significant social and economic impacts on developing countries. Ireland should provide additional resources to assist more vulnerable communities respond to the health crisis. It should build on its renowned international development and humanitarian experience and expertise of Irish NGOs to provide immediate relief to people and sectors most in need. Targets and indicators on international partnerships under SDG 17 are particularly relevant in this regard.

⁸ See https://www.trocaire.org/sites/default/files/resources/policy/trocaire_budget_submission_2021.pdf

6 Business and Human Rights

6.1 The 2016 report of the Committee on the Rights of the Child recommended that Ireland require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and human rights impacts of their business activities and their plans to address such impacts.

6.2 In its 2017 General Comment, the ICESCR Committee outlined that States should regulate relevant business entities across borders in order to protect communities from the negative impacts of their activities. The Committee noted that States should establish appropriate remedies, guaranteeing effective access to justice for victims of business-related human rights abuses when more than one country is involved.⁹

6.3 It is important in this regard that the **state's report addresses:**

- The Programme for Government commitment to review the implementation of the Business and Human Rights Action Plan, including the need mandatory due diligence.
- Steps being taken to align Ireland's domestic response with the EU's new Just Transition Mechanism under the EU Green Deal.
- Steps being taken to adopt domestic legislation requiring business entities to exercise human rights due diligence.¹⁰

7 Right to Health

7.1 In 2016 the Office of the Office of the United Nations High Commissioner for Human Rights produced analysis on the links between climate action and the right to health. In this report, it is noted that *'Since climate change directly contributes to the violation of human rights, States have an affirmative obligation to take measures to mitigate climate change; to prevent negative human rights impacts; to ensure that all persons, particularly those in vulnerable situations, have adequate capacity to adapt to changing climactic conditions; and to regulate the private sector in order to mitigate its contribution to climate change and ensure respect for human rights.'* This includes the recommendation that *'[i]mpact assessments should ensure that climate actions respect human rights, particularly the right to health. Further, States should develop and monitor relevant human rights indicators in the context of climate change; keep disaggregated data to track the varied impacts of climate change across demographic groups; and enable effective, rights-compliant climate action'*.¹¹

7.2 The OHCHR also noted that *'efforts should be targeted to capitalize on climate and health co-benefits that lead to direct reductions in the burden of ill-health, enhance community resilience, alleviate poverty and address global inequity. These could include, for example, measures that: reduce local emissions of air pollutants.'*¹²

7.3 The Environmental Protection Agency in its comprehensive 'State of the Environment' report in 2020 highlighted that environmental indicators are going in the wrong direction in many areas. It graded Ireland climate performance as "very poor" and raised several concerns regarding pollution from solid fuel burning, transport emissions, as well as increasing methane and ammonia emissions due to agriculture growth. It also noted that Ireland's surface water resources are under severe

⁹ Committee on Economic, Social and Cultural Rights, General comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities, 10 August 2017

¹⁰ See <https://responsiblebusinessconduct.eu/wp/2020/04/30/european-commission-promises-mandatory-due-diligence-legislation-in-2021/>

¹¹ OHCHR, Analytical study on the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health, A/HRC/32/23, 6 May 2016

¹² Ibid

pressure due to human activities. The national report should establish a greater link between the environment and health, as recommended by the EPA, and respond to their recommendation for the development of a national environmental policy position.¹³

7.4 In 2018 Ireland submitted a detailed response to the questionnaire of the Special Rapporteur on human rights and the environment concerning 'Air Pollution and Human Rights'. This submission referenced (inter alia) the 1987 Air Pollution Act, Project Ireland 2040, the smoky coal ban in urban areas, the EPA's Air Quality Index for Health and the commitment to produce a National Clean Air Strategy.¹⁴ **It is imperative that, having already prioritised and raised Ireland's response to air pollution in 2018, this information and the latest developments are equally included in its national report.** The report should address:

- The current consultation on the development of a new Solid Fuel Regulation
- The updating the National Air Pollution Control Programme
- The extension of the smoky coal ban to all towns with populations over 10,000 people.
- The implementation of Department of Health's 'Climate Change Adaptation Plan for the health sector (2019 – 2024)' which addresses six climate scenarios with major health implications.
- The operations of the Climate Change Oversight Group for the health sector, led by the Department of Health.

7.5 As noted by the UNESCO Chair, Munster Technological University, sport is an important tool to promote human rights, including the right to health but also equality, non-discrimination, and education. The submission of the UNESCO Chair should be considered in this regard, including the recommendation that the state reflect the linkages between sport and human rights in their national report, highlight relevant policies and programmes and use disaggregated data where available.

8 Right to Education

8.1 In their joint 2019 statement, human rights bodies noted that '*In the design and implementation of climate policies, States must also respect, protect and fulfil the rights of all, including by mandating human rights due diligence and ensuring access to education, awareness raising, environmental information and public participation in decision-making.*'¹⁵

8.2 In relation to national policy, the report should reference the state's response to education on environmental, social and economic issues. In particular, the report should address the National Strategy on Education for Sustainable Development in Ireland, 2014- 2020. With regard to knowledge of global challenges and Ireland's role, **it is equally important that the report addresses** current consultation on the development of a new Irish Aid Development and Global Citizenship Education Strategy.

9 Public Participation

9.1 Several human rights treaty bodies have made recommendations on the right of individuals and groups to participate in decision-making processes. There are positive obligations on the state to actively involve affected groups in the formulation, implementation and review of policies impacting a range of human rights. The national report should reference the main strategies and developments for enhancing public engagement in government decision-making at an early stage.

¹³ See <https://www.epa.ie/irelandsenvironment/stateoftheenvironmentreport/>

¹⁴ See <https://www.ohchr.org/Documents/Issues/Environment/SREnvironment/Pollution/Ireland.pdf>

¹⁵ Five UN human rights treaty bodies issue a joint statement on human rights and climate change. Joint Statement on "Human Rights and Climate Change", 16 September 2019 www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24998&LangID=E#_edn8