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Summary record of the 7th meeting

Held at the Palais Wilson, Geneva, on Thursday, 15 February 2024, at 10 a.m.

Chair: Mr. Emuze (Vice-Chair)

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* Reissued for technical reasons on 12 March 2024.

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Mr. Emuze (Vice-Chair) took the Chair.

The meeting was called to order at 10 a.m.

Consideration of reports (*continued*)

(a) Reports submitted by States parties under articles 16 and 17 of the Covenant
(*continued*)

Fourth periodic report of Ireland (E/C.12/IRL/4; E/C.12/IRL/Q/4; E/C.12/IRL/RQ/4)

1. *At the invitation of the Chair, the delegation of Ireland joined the meeting.*
2. **A representative of Ireland** said that Ireland valued the role played by the United Nations treaty bodies in strengthening the protection of human rights and in driving necessary change. The State party had done a lot to safeguard and strengthen economic, social and cultural rights since its previous appearance before the Committee in 2015, but the delegation still welcomed the opportunity to discuss with the Committee areas where further improvements could be made. The Government particularly appreciated the engagement of civil society throughout the review process and regarded it as an essential part of honouring the State party's commitments under the Covenant.
3. **A representative of Ireland** said that the introduction of marriage equality and better access for women to reproductive health services represented tangible progress in the fulfilment of social rights. The Housing for All plan had stimulated the pace of building new homes, with 32,695 completed in 2023. That was the highest number in 15 years, a 10 per cent increase over 2022, and it exceeded the 2023 target of 29,000.
4. The government response to the war in Ukraine constituted the largest humanitarian effort in the history of Ireland. As of January 2024, over 100,000 people had arrived from Ukraine and approximately 75,000 of them had received State-supported accommodation. The granting of temporary protection gave immediate access to the labour market, social welfare, accommodation and other State benefits. Over 18,000 children from Ukraine had been enrolled in schools all over the country. As a general rule, if, five months after submitting their application, persons seeking international protection had not yet received a decision, they could nevertheless apply for permission to work. The immigration status of nearly 6,000 people who had long been resident in Ireland had been regularized under the Long-Term Undocumented Migrant Scheme.
5. A new National Action Plan Against Racism launched on the International Day for the Elimination of Racial Discrimination in 2023 had been followed by the setting up of the Ireland Against Racism Fund. Recruitment of an advisory group was underway and a Special Rapporteur on racism would be appointed. In March 2017, the State party had recognised Travellers as an ethnic minority and had subsequently published the National Traveller and Roma Inclusion Strategy, which represented a holistic approach to improving the lives of Travellers and Roma and ensuring their full inclusion in society. Its implementation was overseen by a steering committee that included representatives of Traveller and Roma organizations. However, despite all the Government's initiatives, much still needed to be done to ensure that the economic, social and cultural rights of Travellers and Roma were consonant with the provisions of the Covenant.
6. The State party had focused strongly on promoting LGBTI+ rights over the previous three decades and had passed progressive gender recognition legislation. In 2018, it had become the first country to have an LGBTI+ Youth Strategy which had been complemented by the National LGBTI+ Inclusion Strategy. Both strategies had been developed with the active participation of civil society organizations. Progress towards greater gender equality had been made in a wide range of areas encompassing childcare, corporate leadership and combating domestic and gender-based violence. In 2023, the State party had become one of the first countries to introduce leave for the victims of domestic violence and it had also expanded family leave to encourage the sharing of caring responsibilities between men and women.
7. A women's health taskforce had been set up, and all women between the ages of 17 and 31 could obtain free contraception. Half a million people could consult a general

practitioner free of charge, and inpatient hospital charges had been abolished. According to the Organisation for Economic Co-operation and Development (OECD), the State party had been one of nine OECD countries to avoid excess deaths during the coronavirus disease (COVID-19) pandemic and its COVID-19 vaccination programme had been one of the most successful in the world, in that 96 per cent of the adult population had received a primary vaccination.

8. The State party had undertaken ground-breaking legislative reforms in order to implement the rights guaranteed by the Convention on the Rights of Persons with Disabilities. In 2023, it had embarked on the process of drafting legislation on assisted decision-making, which would give persons with capacity difficulties control over decisions affecting their everyday lives. A new agency, the Decision Support Service, had been established to support persons with such difficulties in exercising their right to take their own decisions and to ensure that service providers respected that right. The Government was committed to the development of an ambitious new National Disability Inclusion Strategy, which would coordinate action across government departments to advance a “mainstream-first” approach to service delivery. The national Autism Innovation Strategy, which would probably be adopted in the first half of 2024, would focus on addressing the specific challenges and barriers that faced autistic people throughout their lives.

9. The State party was constantly working to make its education system more inclusive. In 2022, the Department of Education had announced a pilot programme for the reconfiguration of schools in areas with no multi-denominational primary schools. The aim of the programme was to identify potential schools for reconfiguration, and to engage with local school authorities, school staff and the school communities with a view to agreeing on a transfer of patronage and change of ethos, if there was sufficient demand. It was expected that a review of the programme would be published in the near future. The provision of education for children with special needs was an ongoing priority, with the result that, in 2024, there were 2,921 special needs classes and 20,497 special needs assistants.

10. In the field of social protection, the aim of the Roadmap for Social Inclusion 2020–2025 was to reduce the number of people living in consistent poverty to 2 per cent or less of the population. The figure of 5.3 per cent in 2022 had been due to the cost-of-living crisis. Furthermore, a Child Poverty and Well-being Programme Office has been established in the Department of the Taoiseach (Prime Minister).

11. The Government recognized that the State had repeatedly failed to protect vulnerable women and children in the Mother and Baby and County Homes, or to uphold their most fundamental rights. It was conscious of the terrible hurt and pain caused and the continued impact on many individuals and their families at home and abroad. The report of the Commission of Investigation and the official State apology were not a conclusion, but a starting point for restorative measures, one of which was the Mother and Baby Institutions Payment Scheme, which would provide financial payments and health support to eligible persons as from the first quarter of 2024. Continued dialogue with survivors would take place with a view to healing relationships and rebuilding trust with those who still suffered from the awful weight of their experiences. The Government was aware of the urgency of that work.

12. The budget for arts and culture in 2024 amounted to €367million, more than double the 2015 allocation. A pioneering Basic Income for the Arts pilot scheme had been launched to support artists and creative arts workers. Initial reports showed that recipients were investing more resources in their creative practice and spending less time working in other sectors. In pursuance of the Convention for the Safeguarding of the Intangible Cultural Heritage, tinsmithing and the Cant/Gammon language had been listed on the National Inventory of Intangible Cultural Heritage.

13. **Mr. Nonthasoot** (Country Rapporteur) said that the Committee would be grateful for information on the State party’s position on, and a possible timeline for, accession to the Optional Protocol. The Committee was concerned by the fact that the Covenant was not directly incorporated into domestic law. It would be helpful to have concrete information on the training of judges and public prosecutors in human rights in general and, in particular, in the provisions and procedures of the Covenant and other human rights conventions. Another

concern was the limited scope of article 29 of the Irish Human Rights and Equality Commission Act, which restricted recognition of rights to only those guaranteed in an agreement that had been given the force of domestic law.

14. He would like to know if there were plans to introduce a law or policy, including financial support and regularization of consultation, to enhance civil society's engagement in devising public policy. The Committee would like to hear whether and when the State Party would adopt a new National Plan on Business and Human Rights and how it planned to transpose the European Commission's proposed directive on corporate sustainability due diligence into domestic law. In that connection, the delegation was invited to outline the policy to introduce mandatory human rights due diligence in the State party. The Committee would be grateful for clarification of the State party's position on holding State-owned enterprises to account for any adverse impact of their business practices, the management of their supply chains and compliance with their due diligence obligations. The Committee was also keen to know whether the environmental, social, and governance (ESG) reporting frameworks had been used in the State-owned entity sector or indeed in all business sectors to identify the possible impact of companies' activities. Information would be welcome on the case of ESB Energy, which had reportedly imported coal from a Colombian mine with a questionable record on human rights. It would also be useful to have information from the delegation on how the State party was addressing inadequacies in social infrastructure and whether the Project Ireland 2040 strategy included the provision of social infrastructure.

15. The Committee was concerned about the lack of information from the State party on moves to eradicate tax avoidance. It would also like to learn about policies to remedy the lack of comprehensive anti-discrimination legislation, including on grounds of socioeconomic status, the lack of disclosure in respect of the review of the Equality Acts, the lack of equality budgeting and the lack of consideration of multiple or intersectional forms of discrimination. It would therefore appreciate a clear response from the State party on how it intended to mainstream human rights awareness and capacity and enhance human rights budgeting at the local level. When would the bill to combat hate crimes be passed? It was unclear whether victims of discrimination could claim legal aid. The delegation was invited to explain whether the State party had a robust mechanism with targeted and timebound policies, clear budget lines and human rights impact assessments to redress the inequalities affecting marginalized groups other than Travellers, Roma and LGBTIQ+ groups. It would be helpful to know whether the National Strategy for Women and Girls 2017–2020 had been assessed and when a new strategy would be drawn up and adopted. Lastly, the Committee wondered whether the number of Travellers recorded in the most recent census was accurate and whether the National Equality Data Strategy had been finalized and took account of every dimension of human rights.

The meeting was suspended at 10.35 a.m. and resumed at 10.50 a.m.

16. **A representative of Ireland** said that rights under the Covenant were implemented through the relevant provisions of the Constitution and legislation. Articles 40–44 of the Constitution expressly provided for a significant range of fundamental rights enshrined in the Covenant. The courts had recognized many rights derived from the Constitution and explicitly set forth in the Covenant. Irish courts had consistently held that the Constitution was an evolving text and had developed an elaborate and sophisticated jurisprudence in relation to the rights protected by it. The Covenant had been relied on in various court cases as an aid to the interpretation of corresponding provisions of the Constitution. The State party was also bound by the Charter of Fundamental Rights of the European Union. The rights protected under the Covenant were also protected in legislation and common law. There was a general presumption that the Oireachtas (the national parliament) would legislate in a manner consistent with the State party's treaty obligations and that courts should seek to interpret such legislation accordingly. Given the extensive protection afforded to economic, social and cultural rights under the Irish legal system, the State party took the view that the most appropriate way to give effect to rights under the Covenant was by way of the application of comparable constitutional and other provisions of domestic law.

17. **A representative of Ireland** said that the Judicial Council was responsible for training judges. Training programmes for judges covered economic, social and cultural rights. Irish judges had also attended national and international training events specifically

focusing on those rights. The Director of Public Prosecutions worked closely with the Department of Justice to offer training to prosecutors that made them aware of all the issues involved in combating human trafficking and domestic, sexual and gender-based violence and to alert them to victims' possible traumatization, the socioeconomic context of certain types of crime and the overrepresentation of some minority groups. The Government hoped that the hate crime bill would be enacted in 2024.

18. **A representative of Ireland** said that the Irish Human Rights and Equality Commission Act granted the Commission the capacity to take action in relation to a broad range of human rights as set out in the Constitution, including rights enshrined in ratified international instruments.

19. **A representative of Ireland** said that all government departments had committed to a document that set out values and principles for work with civil society. More than 80 civil society organizations received core funding from the State, and civil society was involved in the drafting and implementation of strategies across Government. Local public participation networks contributed to the development of local policies.

20. **A representative of Ireland** said that the Government was committed to undertaking a detailed analysis of the Optional Protocol with a view to considering its ratification. As to the National Plan on Business and Human Rights 2017–2020, more than 90 per cent of the related priority commitments had been met; consultation on its successor was under way and would be finalized in 2024.

21. **A representative of Ireland** said that, while the Government would consider establishing a mandatory human rights due diligence framework for business, it favoured legislation at the European and international levels. Accordingly, it strongly supported the objectives of the proposed European Union directive on corporate sustainability due diligence. The Responsible Business Forum, set up in 2023, worked to raise companies' awareness of their human rights obligations, and State-owned companies were subject to such human rights due diligence frameworks as applied to Irish companies generally. The complaint against ESB Energy had been lodged with the National Contact Point for the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct; it was currently in the good offices phase and therefore confidential. The Corporate Sustainability Reporting Directive of the European Union was being transposed into national law with the involvement of stakeholders, including industry, and efforts were being made to raise awareness of the related obligations.

22. **A representative of Ireland** said that rural areas, particularly the north-west of the country, benefited from action under the cross-departmental Our Rural Future strategy and a strategy targeting island communities, among others. More than €500 million had been invested in rural areas, including the approximately €50 million invested in community and infrastructure development projects each year. The north-west received higher levels of funding than other areas to address its specific challenges, for example through support for research, innovation and the digital economy. Investment in remote working hubs had revitalized rural communities.

23. **A representative of Ireland** said that the Government had set a number of ambitious targets in relation to Internet connectivity, including for all populated areas to be covered by the 5G network by 2030. The previous three years had seen significant investment in gigabit connectivity by commercial operators, supported by a national broadband plan. A contract for the provision of high-speed broadband, mainly in rural areas, had been signed with National Broadband Ireland, and it was anticipated that, by the conclusion of the national broadband plan, 600,000 premises, including businesses, homes and schools, would be connected.

24. **A representative of Ireland** said that, under the rural mobility plan, more than 100 towns and villages now had public transport links, including on-demand services that met the specific needs of certain groups. In the north-west, pilot projects had integrated public transport with non-emergency health services, leading to an increase of around 150 per cent in public transport use.

25. **A representative of Ireland** said that funding for general practitioners had increased significantly, in the order of €200 million per annum in recurring expenditure, to allow practices in rural and deprived urban areas to recruit and retain staff. Since 2015, there had been an 80 per cent increase in the number of students entering general practitioner training, boosted by a programme that trained general practitioners from outside the European Union and deployed them to rural and other areas where service provision was low; 112 such professionals had been recruited in 2023, and funding had been provided for a further 250 in 2024.

26. **A representative of Ireland** said that the Government's enterprise strategy included a commitment to ensuring a fair distribution of employment and development opportunities across the country.

27. **A representative of Ireland** said that a spillover analysis of the tax system in relation to developing economies had informed updates to two tax treaties. Further research, including a review of the corporate tax system, had led to measures to tackle aggressive tax planning. Under a tax treaty policy developed following consultation with the public and non-governmental organizations (NGOs), the Government refrained from approaching least developed countries with a view to entering into tax treaties and, if approached by such countries, undertook cost-benefit analyses before entering into negotiations to ensure that positive spillover was likely. Under draft legislation, multinational companies would be required to pay tax of at least 15 per cent in all countries in which they operated, and OECD would assist developing countries in implementing that requirement.

28. **A representative of Ireland** said that the review of the Equal Status Acts and the Employment Equality Acts had aimed to examine how the Acts functioned, consider the possibility of introducing new grounds of discrimination and identify any barriers to redress. The process had begun with in-depth public consultation, and a summary of the submissions had been published in July 2023. The Minister for Children, Equality, Disability, Integration and Youth had agreed to take the review into account in the reforms to equality legislation, which were currently at an advanced stage, and consideration was being given to incorporating disadvantaged socioeconomic status as a ground of discrimination.

29. Reviews of, and updates to, the Migrant Integration Strategy, the National Strategy for Women and Girls and the National Traveller and Roma Inclusion Strategy drew on an independent evaluation of the implementation of previous strategies that had been published in 2023. A new migrant integration strategy was due to be published in 2025. A final report on the National Strategy for Women and Girls, which had aimed to ensure women and girls' full participation in public life, education and employment and improve services for them, was being prepared, and future strategies would address the impact of the COVID-19 pandemic and the recommendations of the Citizens' Assembly on Gender Equality. The National Traveller and Roma Inclusion Strategy continued to be implemented, and a consultation process on its successor had taken place with representatives of the Traveller and Roma communities, incorporating the views of children and young persons.

30. **A representative of Ireland** said that budgeting was undertaken through a broad lens of equality that went beyond gender. All government departments identified annual equality metrics; data on their achievement was published in the annual Public Services Performance Report.

31. **A representative of Ireland** said that the cost of public transport had been reduced by 20 per cent for all citizens and 70 per cent for young persons, while it had been made free for persons with disabilities.

32. **A representative of Ireland** said that the National Council for Special Education was providing policy advice on supporting special schools within an inclusive education system.

33. **Ms. Saran** said that she would welcome further information on the State party's official development assistance programmes and policies that helped to guarantee the full enjoyment of rights under the Covenant by its partners. It would also be interesting to know the State party's position on proposals for a framework tax convention under the auspices of the United Nations and concerns surrounding the abuse of corporate tax practices and its effect on Covenant rights.

34. **Mr. Nonthasoot** said that the State party's fragmented approach to the incorporation of the Covenant into national law risked neglecting some of the rights contained therein. The State party must mainstream the gender perspective into spending on equality.

35. **Mr. Windfuhr** said that it would be interesting to hear the delegation's comments on the barriers to State funding reportedly faced by civil society organizations and reports that organizations in receipt of such funding found it difficult to criticize the Government during advocacy work. He wished to know whether those issues were addressed in the draft legislation on charities. He would also like to know whether the State party had analysed the losses suffered by the countries with which it had entered into taxation agreements, and he would welcome confirmation that companies with turnovers of less than €750 million would be exempt from the requirement to pay 15 per cent tax in the countries in which they operated.

36. **Ms. Rossi** said that she would welcome more details of the process that had been followed, and of any obstacles that had been encountered, with regard to the inclusion of socioeconomic status in the list of prohibited grounds for discrimination set out in the State party's anti-discrimination legislation.

37. She would be interested in the delegation's assessment of the additional measures needed to ensure that the tax framework was aligned with human rights requirements. She wished to know what the State party's position was with regard to the planned United Nations framework convention on international tax cooperation.

38. Further to paragraph 35 of the Committee's concluding observations on the State party's third periodic report (E/C.12/IRL/CO/3), she would like to hear about any measures that had been taken to ensure that agreements with international organizations, including international financial institutions such as the International Monetary Fund, and agreements implementing any fiscal consolidation policy prescribed by such organizations were in compliance with the State party's obligations under the Covenant. She was also keen to know whether the State party, in its capacity as a member of such organizations and institutions, had taken steps to ensure that their policies, including those of the Fund, were in conformity with the obligations of State parties under the Covenant.

39. **A representative of Ireland** said that the country's official development assistance programme was framed by a human rights-based approach. The authorities took the position that those furthest behind should be prioritized, and programme funding was targeted at the least developed countries and at the most marginalized and vulnerable communities within countries, including in relation to climate change.

40. **A representative of Ireland** said that, in 2021, at the Twenty-Sixth Conference of the Parties to the United Nations Framework Convention on Climate Change, Ireland had made a commitment to contribute €225 million per year to climate finance by 2025. Progress was being made towards meeting that commitment: between 2015 and 2022, the amount it contributed had already doubled to €120.8 million. In 2022, 80 per cent of climate financing had been allocated to adaptation measures. Given that public funding would not be sufficient to meet the challenges posed by climate change, Ireland was supportive of efforts to seek out new and innovative sources of finance.

41. The Government's International Climate Finance Road Map, which had been published in July 2022, was focused on the thematic areas of climate resilience and adaptation, support for marine protection, loss and damage, and innovation. The principles that underpinned the Road Map included a focus on leaving no one behind, gender sensitivity and locally led climate action.

42. **A representative of Ireland** said that, although Ireland had not voted in favour of developing a United Nations framework convention on international tax cooperation, it was fully engaged in the process. The Government had taken the position that it wished to ensure that the Two-Pillar Solution to Address the Tax Challenges Arising from the Digitalization of the Economy preferred by OECD was given the opportunity to succeed. The Government had incorporated into domestic legislation the transfer pricing rules set out by OECD. The turnover threshold of €750 million had been agreed on in the context of the OECD/Group of 20 Inclusive Framework on Base Erosion and Profit Shifting.

43. A total of 76 double tax agreements had been signed. The researchers who had conducted the spillover analysis in 2014 had encountered difficulties in gathering data owing to confidentiality concerns and the low financial flows between Ireland and developing countries. Following the publication of the analysis, the authorities had renegotiated two double tax agreements to ensure more favourable terms for their counterparts in developing countries. Further research would be required in order to identify any additional steps that should be taken in that regard. There were no plans to repeat the spillover analysis.
44. **A representative of Ireland** said that, in the light of the structure of the domestic legal order, the authorities had chosen to give effect to the rights enshrined in the Covenant by methods other than their direct incorporation into domestic law.
45. **A representative of Ireland** said that it was important to stress that the judiciary in Ireland was fully independent. The Judicial Studies Committee had been established in 2020 and delivered a broad suite of training programmes for the judiciary. Elements pertaining to economic, social and cultural rights were embedded in those programmes.
46. **A representative of Ireland** said that a technical support instrument funded by the European Union was being used to embed gender mainstreaming and gender-responsive budgeting.
47. **A representative of Ireland** said that it was crucial for civil society in Ireland to feel that it was safe to criticize the Government, including in the context of United Nations mechanisms. Such criticism, and the solutions civil society organizations were able to offer, constituted a great asset to the country. Registered charities were permitted to engage in advocacy work provided that it related to the charity's purpose and did not promote any political party. Following input from civil society, amendments had been made to the charities bill to expand the scope of advocacy work to include human rights issues.
48. **A representative of Ireland** said that the legislative proposals on the inclusion of socioeconomic status in the list of prohibited grounds for discrimination had been informed by rich consultations.
49. **Mr. Adilov** (Country Task Force) said that he would welcome updated figures on the implementation of the right to work in the State party, with a particular focus on the aspects mentioned in paragraph 10 of the list of issues in relation to the fourth periodic report ([E/C.12/IRL/Q/4](#)).
50. He would be grateful for data on the gender pay gap for 2023. It would be interesting to learn about any adjustment measures the State party planned to take to provide structural support to help women in north-west Ireland participate fully in the workforce. He wished to receive details of the specific steps that had been taken to implement the recommendations contained in the report published in December 2020 by the Joint Oireachtas Committee for Gender Equality. It would be useful to receive more information on the actions that had been taken to achieve the goals set out in the National Strategy for Women and Girls 2017–2021. He would be interested to hear about the outcome of the re-examination by the Low Pay Commission of national minimum wage subminimum rates and the question of whether they should be retained.
51. More information would be welcome on the work of the National Centre for Research and Remembrance and on any progress made in establishing a national memorial and archives for survivors of the Magdalene Laundries, industrial schools and reformatory institutions. He would appreciate an update on the third action plan of the Comprehensive Employment Strategy for People with Disabilities 2022–2024.
52. He wished to know what further changes had been made to industrial relations legislation following the recommendations set out in the final report of the High-level Working Group on Collective Bargaining.
53. It would be helpful if the delegation could provide more detail on how the barriers faced by vulnerable groups were addressed in the guidelines on habitual residence, as well as on how the guidelines were being implemented. He would like to know what concrete results had been achieved in the area of the right to social security following the implementation of the National Traveller and Roma Inclusion Strategy 2017–2021.

54. **A representative of Ireland** said that, in November 2022, the Government had agreed to adopt a national living wage that would be set at 60 per cent of the hourly median wage by 2026. The Low Pay Commission would put forward recommendations on subminimum rates for young persons in due course. Currently, the minimum wage for young persons was €8.89 for 17-year-olds, €10.16 for 18-year-olds and €11.43 for 19-year-olds; those amounts constituted 70, 80 and 90 per cent of the national minimum wage, respectively.

55. **A representative of Ireland** said that, following an independent evaluation of the National Strategy for Women and Girls, recommendations had been made with regard to enhancing collaboration with stakeholders, addressing capacity issues and developing progress indicators. The key achievements of the Strategy's implementation had included a review of apprenticeships in science, technology, engineering and mathematics, the introduction of gender policies in national cultural institutions and the promotion of women in leadership, thereby challenging stereotypes and occupational segregation. A series of measures aimed at women and girls had also been included in the National Traveller and Roma Inclusion Strategy.

56. Following the implementation of a suite of measures, the gender pay gap had decreased from 14.4 per cent in 2017 to 9.6 per cent in 2022. Under the Gender Pay Gap Information Act, since 2022, organizations with more than 250 employees had been required to report on a range of metrics relating to gender and pay. The threshold would gradually be lowered to include organizations with more than 50 employees. Other measures, including the expansion of family leave, had also been introduced to address the broader structural drivers of the gender pay gap.

57. The National Centre for Research and Remembrance would be a national memorial and site of conscience to honour the lived experiences and dignity of all persons who had spent time in institutions in the twentieth century. The Government had approved the master plan for the construction of the Centre.

58. **A representative of Ireland** said that early learning and childcare provision had been transformed since 2015 and was now more affordable, more accessible and of higher quality. The number of children with places funded through departmental schemes had risen from 73,964 in 2015–2016 to 221,642 in 2022–2023. Investment in the sector had increased fourfold between 2015 and 2024, from €265 million to €1.1 billion. Under the Together for Better funding model, which had been launched in 2022, early learning and childcare were recognized as a public good that was underpinned by greater State involvement and investment.

59. **A representative of Ireland** said that the labour market was performing very well. The most recent data, for the third quarter of 2023, had shown that the employment rate was the highest it had ever been. The overall unemployment rate had remained at below 5 per cent for several years, although the youth rate had stood at 12.1 per cent in January 2024.

60. With regard to marginalized groups, the employment rate among lone parents had increased from 61.8 per cent before the COVID-19 pandemic to 66.4 per cent in the first quarter of 2023. Data from the 2022 census had revealed that the employment rate among Travellers had risen by 50 per cent; nevertheless, the actual rate remained extremely low, at 18 per cent. The data on employment rates among Roma was inconclusive. Official estimates of the employment rate among persons with disabilities ranged from 44 to 53 per cent.

61. **A representative of Ireland** said that the Department of Enterprise, Trade and Employment had met to coordinate the implementation of the recommendations contained in the final report of the High-Level Working Group on Collective Bargaining, which had been published in October 2022. The Minister of State had written to the Labour Court to request that it consider drafting rules on the use of technical assessors in statutory wage-setting and other collective bargaining proceedings and that it examine the desirability of expanding or reconfiguring the membership of joint labour committees. Government officials had been in contact with the Workplace Relations Commission regarding the training recommendations in the report and had requested guidance from the Office of the Attorney General on the recommendations that would require legal changes. An implementation meeting would be held with social partners once that advice had been received.

62. At European level, Ireland was on track to implement Directive (EU) 2022/2041 on adequate minimum wages in the European Union. It had participated in the work of the expert group on the transposition of the Directive established by the European Commission and was exploring how to implement the provisions of the Directive in the Irish context. The Government had pledged to progress to a living wage, and Ireland already had one of the highest monthly minimum wages in the European Union.

63. **A representative of Ireland** said that, pursuant to the Customer Charter, free translation and interpretation were provided to ensure that non-English speakers and persons with visual or hearing impairments could access income support and employment services. In 2023, there had been a significant increase in demand for Ukrainian interpretation, in response to which Ukrainian temporary clerical officers had been assigned to provide services. In 2022, a total of 3,880 documents had been translated into English from 46 other languages or vice versa, 55 customers had benefited from interpretation in person and 600 had done so by phone or video call. A representative forum had been created to enable customers to keep abreast of any changes in the provision of services.

64. **Mr. Nonthasoot** said that he would welcome information on the steps taken by the Government in response to the Supreme Court's decision in the *Revenue Commissioners v. Karshan (Midlands) Ltd. t/a Domino's Pizza* case, on whether the minimum wage was indexed and adjusted regularly, on how the State party fulfilled its Covenant obligation to provide full and productive employment for all, including members of marginalized groups such as the Roma, and on how labour inspections were used to protect vulnerable individuals from fraud, human trafficking and other offences.

65. **Mr. Windfuhr** invited the delegation to describe the extent of the gender pay gap in the State party and efforts made to reduce it, elaborate on measures to eliminate precarious work as much as possible and indicate whether there were plans to adopt a fully fledged poverty reduction strategy.

66. **Ms. Rossi** said that she would be grateful for details of the distribution of parental leave and of the provision of childcare services between the private sector and the State.

67. **A representative of Ireland** said that an interdepartmental working group comprising employees of the Department of Social Protection, the Revenue Commissioners and the Workplace Relations Commission had updated the Code of Practice on Determining Employment Status in 2021. In the light of the Supreme Court's decision in the *Revenue Commissioners v. Karshan (Midlands) Ltd. t/a Domino's Pizza* case, which the working group would meet to discuss in the coming weeks, the Revenue Commissioners had issued further guidance. While the decision concerned taxation issues rather than substantive employment rights issues, the Department of Enterprise, Trade and Employment was taking a proactive approach and would propose amendments to employment protection legislation as necessary.

68. The proposed directive of the European Parliament and of the Council on improving working conditions in platform work, related to digital labour platforms, took a novel approach by providing for a presumption of an employment relationship when at least two out of five indicators were present. The Government was actively engaged in the process of negotiating the proposed directive and was already considering similar approaches and anticipating how to adapt domestic legislation in response to the directive's possible adoption. Workers in Ireland were entitled to most employment rights from the first day of their employment. There were practical reasons for making the enjoyment of certain other rights contingent on proof of establishment of an employment relationship.

69. The Government had accepted all the recommendations put forward in the 2023 annual report of the Low Pay Commission. The national minimum wage was calculated on the basis of a fixed-threshold approach as opposed to a basket-of-goods approach, an advantage of which was greater certainty for minimum-wage earners during economic downturns. The number of inspectors in the Workplace Relations Commission had been increased substantially. Exact figures could be provided in writing.

70. **A representative of Ireland** said that a total of 38 presumed victims of human trafficking had been officially identified in Ireland in 2020. However, according to a study

supported by the Government, the true number of victims was likely to have been 38 per cent higher, bearing in mind that trafficking was a hidden crime. The official figure for 2023 had not yet been finalized but was expected to be in the low 40s. Currently, the police force was the only authority competent to recognize victims. However, the Government had published legislation providing for the establishment of a national referral mechanism including representatives of all relevant government departments, non-governmental organizations and the Workplace Relations Commission, whose inspection role would thus be expanded to offer a clear pathway for responding to suspected trafficking cases. The legislation was expected to be enacted by the end of 2024.

71. **A representative of Ireland** said that, while the State pension was the same for men and women, research conducted in 2019 had concluded that men were twice as likely as women to also have an occupational pension. To help to address the issue, the Government planned to introduce an automatic enrolment system in 2024.

72. **A representative of Ireland** said that the Government had approved a master plan for the National Centre for Research and Remembrance campus, which would be located at the former Magdalene Laundry site on Sean McDermott Street in Dublin. The plan included archive and museum spaces, a garden for reflection and remembrance, purpose-built spaces for educational and community-based family and parenting support facilities and units of universal design social housing.

73. The Comprehensive Employment Strategy for People with Disabilities set out a cross-government approach to addressing barriers to employment faced by persons with disabilities. Key achievements under the Strategy included the creation of the Employers for Change disability information service aimed at making employers more disability-confident, an increased uptake in mainstream education and training options by young persons with disabilities, the success of the Ability programme, which provided funding for projects to boost the employability of young persons with disabilities aged 15–29 years, and the formalization in law of a government commitment to increase the minimum statutory employment target for persons with disabilities in the public sector from 3 per cent to 6 per cent by 2025. A new national disability strategy set to be finalized and published in early 2024 would revitalize the Government's efforts to ensure access to employment for all persons with disabilities on an equal basis with others.

74. Under the Paternity Leave and Benefit Act 2016, fathers of children born on or after 1 September 2016 were entitled to two weeks' paid leave. Pursuant to the Parent's Leave and Benefit Act 2019, both parents were entitled to seven weeks' leave during the first two years of their child's life or, in the case of adoption, within two years of the placement of the child with the family. That entitlement would be increased to nine weeks in August 2024. The Family Leave and Miscellaneous Provisions Act 2021 provided for a gender-neutral parental leave policy, thereby ensuring that same-sex married couples could avail of leave but also that opposite-sex couples had a choice. The Work Life Balance and Miscellaneous Provisions Act 2023 extended the window for breastfeeding breaks at work to two years after the birth of the child and introduced unpaid leave for medical care to give parents and carers more flexibility.

75. **A representative of Ireland** said that there was an overarching national poverty strategy in relation to which all government departments provided quarterly implementation updates. The strategy focused on two main areas: income and public services. In terms of income, the employment rate was relatively high, although some groups continued to have difficulty accessing the labour market. The Government had faced challenges in improving the welfare support system. The most recent State budget had been the first in which a benchmarking approach had been adopted for pension payments. The Government was exploring how that approach might be used for working-age benefits. Efforts were being made to reduce or eliminate the cost of public services. For example, inpatient hospital fees had been abolished. The cost of housing was hindering progress in reducing poverty rates. However, the Government's strategy was yielding positive results; it included targets related to the employment of persons with disabilities, and a new child poverty reduction target was being developed.

76. **Ms. Lemus de Vásquez** (Country Task Force) said that she wished to know what steps had been taken to put in place a public, non-profit childcare system, what resources had been allocated to the statutory agency mentioned in paragraph 91 of the replies to the list of issues, how many cases the agency had handled, what results it had achieved and what progress the Victims' Forum had made in changing behaviours and attitudes with a view to reducing domestic, sexual and gender-based violence.

77. She would be interested to know what measures the State party was taking to reduce poverty, including persistent poverty, particularly among the Traveller and Roma communities, single-parent families, children, persons with disabilities and older persons, what results it had achieved in that respect, what plans it had to develop innovative, long-term solutions that addressed the root causes of poverty and inequality, what it was doing to promote equal access to public and social housing, how it ensured that available housing was culturally appropriate and of high quality, what steps it had taken to tackle food insecurity and ensure that the issue was placed at the intersection between poverty reduction and public health policies, what efforts were being made to extend the coverage of food insecurity measures and what was being done to ensure the collection of adequate information on food poverty to enable a comprehensive response.

78. It would be useful to know what measures the State party had adopted to address regional health inequalities and improve the accessibility of health-care services, particularly in rural and remote areas, and what efforts it had made to ensure basic universal health coverage, including by allocating the necessary resources. She would be grateful for an update on the status of the draft legislation on safe access zones around medical facilities providing abortions, along with a description of the measures being taken to ensure its adoption. Lastly, she asked what was being done to guarantee access, without discrimination, to sexual and reproductive health services for women from disadvantaged and marginalized groups, to prioritize mental health and disability issues and ensure that appropriate resources were allocated to addressing them using an interdepartmental approach, to implement the recommendations of the Citizens' Assembly on Drugs Use and to engage with stakeholders and affected communities regarding the adoption of a human rights-based approach to drugs policy.

The meeting rose at 1 p.m.