

Taoiseach Enda Kenny TD,
Department of the Taoiseach,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Open letter to the Irish Government

A call to accept the recommendation of the Constitutional Convention on Economic, Social and Cultural rights

26 September 2014

Dear Taoiseach,

The Economic, Social and Cultural (ESC) Rights Initiative is a network of organisations and individuals with a shared belief that increased protection of ESC rights in Irish law would contribute to a more just, inclusive and equal society. The aim of the ESC Rights Initiative is to ensure that these rights, already committed to by Ireland through the ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1989, are rendered legally enforceable through Bunreacht na hÉireann.

On 31 March the Constitutional Convention recommended to the Government, by an overwhelming majority of 85%, that ESC rights be given enhanced protection in the Constitution. The ESC Rights Initiative welcomes this recommendation. The Government was due to respond to the recommendation by the end of July. Disappointingly and in breach of the Conventions' terms of reference, we now understand that this response will not be given until the autumn.

The ESC Rights Initiative calls on the Government to accept the Constitutional Convention's recommendation.

The recommendation has presented Ireland with a unique opportunity to take a significant step towards fulfilling its international human rights obligations and to ensure that all human rights, civil and political as well as economic, social and cultural, are granted equal protection by the Constitution. It would also ensure that Ireland keeps pace with the growing international trend towards according constitutional protection to these fundamental human rights.

If further examination of this issue is deemed necessary, for example through the establishment of a working group to consider the implications of constitutional incorporation of these rights and to formulate the appropriate wording for a referendum bill, we urge that such a process be quickly put in place. We urge that any such further examination process should:

- Be open and transparent;
- Draw on internal analysis of relevant Departments, as well as external expertise, including from civil society organisations;
- Have clear and public terms of reference;
- Have an expeditious and defined timeframe for reporting;
- Be mandated to make public its findings and reasoning.

We would like to meet with you to discuss further the recommendation of the Constitutional Convention, to arrange this meeting and/or should you require any further information on the work of the ESC Rights Initiative, please do not hesitate to make contact with Niamh Kinane on 01 863 8339, or at nkinane@amnesty.ie.

Yours sincerely,

Aiden Lloyd
Chairperson, ESC Rights Initiative.

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An open letter to the Taoiseach made by the following:

Organisations:

Amnesty International Ireland

FLAC

National Women's Council of Ireland

Irish Council for Civil Liberties

Focus Ireland

TASC

Children's Rights Alliance

Irish Heart Foundation

Immigrant Council of Ireland

Equality and Rights Alliance

Mercy Law Resource Centre

Age Action

Pavee Point

Irish National Organisation of the Unemployed

Community Law and Mediation

Disability Federation of Ireland

Marriage Equality

European Anti-Poverty Network

All Together in Dignity Ireland

Longford Community Resources Ltd.

Atheist Ireland

South Dublin Community Platform





MARRIAGE EQUALITY
Civil Marriage for Gay and Lesbian People



Individuals:

Robert Aiden Lloyd

Oisín Bourke

For further information please contact:

Niamh Kinane,

Amnesty International Ireland,

nkinane@amnesty.ie or 01 863 8339