United Nations CEDAW/C/IRL/QPR/8

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the eighth periodic report of Ireland

General

1. Please provide information and statistics, disaggregated by sex, age, nationality, disability, ethnicity, geographical location and socioeconomic background, on the current situation of women in the State party, to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention, so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document.

Women's rights and gender equality in relation to the pandemic, recovery efforts and global crises

2. Please describe efforts made and mechanisms put in place to contend with the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways to apply these in the State party's response to current and future crises, such as armed conflict, food insecurity, energy crises and other relevant areas. Please provide information on strategies taken to ensure that gender equality and women's empowerment are a fundamental requirement in addressing such crises and in elaborating adequate responses, such as policies, the scope of essential services, assistance programmes, recovery efforts and the application of the rule of law. Please also provide information on measures taken to ensure the equal and meaningful participation of women in these processes and to ensure that such crises will not lead to a reversal of progress made in the protection and promotion of women's rights.

* Adopted by the pre-sessional working group on 31 October 2023.

Please recycle

Reservations

3. In the light of the Committee's previous recommendations (paras. 9, 11 and 13),[1] please:

(a) Explain the obstacles to the withdrawal of reservations to articles 11 (1), 13 (a) and 16.1 (d) and (f) of the Convention and the advantages for women of maintaining the provisions of national legislation at the expense of the provisions of the Convention;

(b) Describe efforts undertaken to amend article 41.2 of the Constitution in order to remove the stereotypical language on the role of women in the home, and to introduce legislative provisions that underline the obligation of the State to pursue actively the achievement of substantive equality between women and men;

(c) Provide an update on the review of the Equality Acts, including the timeline for the publication of legislative proposals;

(d) Provide data on the number of complaints and prosecutions in relation to discrimination on the grounds of sex in the past five years, the sentences imposed on the perpetrators and the reparations provided to victims under the Equality Acts.

Women's access to justice

4. In the light of the Committee's previous recommendations (para. 15) and information provided by the State party in its follow-up report (CEDAW/C/IRL/FCO/6-7), please provide information on:

(a) The review by the Senior Counsel of cases where there was a dispute in relation to the Magdalene Laundries, and on the development of central government guidance for future redress schemes;

(b) The conclusions and recommendations of the Commission of Investigation into Mother and Baby Homes and Certain Related Matters published in January 2021, and on plans to implement its recommendations;

(c) The proportion of allocated budgets for Magdalene Laundries, Mother and Baby Homes and O'Keeffe payment schemes that has been spent, the number of unsuccessful applicants to the payment schemes and the reasons for the refusal;

(d) The availability of capacity-building on gender-responsiveness and gender-sensitive investigation and interrogation methods for judges, prosecutors, lawyers, police officers and other law enforcement officials.

National machinery for the advancement of women

5. In the light of the Committee's previous recommendations (para. 19), please provide detailed information on:

(a) The functioning of the national machinery for the advancement of women to ensure gender mainstreaming at the central and counties government levels, as well as in all sectors of policymaking; the coordination of the various entities; and cooperation with non-governmental organizations (NGOs) in the State party;

(b) Ongoing or planned measures to ensure clear lines of accountability and responsibility for delivering gender equality across Government and improved coordination;

[1] Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations on the combined sixth and seventh periodic reports of the State party (CEDAW/C/IRL/CO/6-7).

(c) The results achieved under the National Strategy for Women and Girls 2017–2021, including the monitoring process and lessons learned;

(d) The timeline and development process for the next national strategy and the incorporation of the Convention standards therein;

(e) Legislative and administrative measures that the State party will adopt to progress towards the full and effective application of the Public Sector Equality and Human Rights Duty;

(f) The training available on gender equality for national and local government officials.

National human rights institution

6. Please provide information on the steps taken to implement the 2021 recommendations of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions, in particular with regard to: (a) the mandate of the Irish Human Rights and Equality Commission to cover all rights set out in international, regional and domestic instruments, and explicit responsibility to encourage ratification or accession to international instruments; (b) the process of selection and appointment of commissioners; and (c) the provision for a fixed minimum term of appointment for members of the Commission.

Temporary special measures

7. The Committee notes that the State party scored only 61.7 in the 2022 Gender Equality Index in the area of "power", which is its lowest score. Please inform the Committee of:

(a) Temporary special measures, such as a quota system, that have been put in place to achieve substantive equality between women and men, in particular with reference to the representation of women in parliament and local governments; on the boards of State-owned enterprises, major public bodies and public financial and economic institutions; and in decision-making positions in public administration, private companies and universities;

(b) Cases of non-compliance with quotas and the measures applied in such cases.

Stereotypes

8. In the light of the Committee's previous recommendations (para. 25), please provide information on:

(a) The strategy adopted to combat discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society and to strengthen the understanding of the concept of equality between women and men, and on the monitoring mechanism to assess the impact of the measures taken and design remedial action;

(b) Any innovative measures taken to use the education system and the media to enhance a positive and non-stereotypical portrayal of women and men;

(c) Measures taken to address sexist portrayals of women in the media, including in social media and hate speech targeted at women and girls.

Gender-based violence against women

9. Recalling the Committee's previous recommendations (para. 27), please provide the Committee with information on:

(a) Plans to create a comprehensive statistical database containing data on domestic, sexual and gender-based violence, in compliance with the State party's obligations under the Convention;

(b) How the State party will implement the recommendations in the Baseline Evaluation Report of the Group of Experts on Action against Violence against Women and Domestic Violence;

(c) The establishment and work of the statutory Domestic, Sexual and Gender-based Violence Agency to address concerns about its independence, mandate, monitoring function and resourcing;

(d) Plans to implement the recommendation from the study on familicide and domestic and family violence to establish a domestic and family violence death review process;

(e) Intentions to review the Domestic Violence Act 2018.

10. Please provide the Committee with:

(a) Information on the results of the Second National Strategy on Domestic, Sexual and Gender-based Violence 2016–2021 and lessons learned from the Strategy, and information on the Third National Strategy on Domestic, Sexual and Gender-based Violence 2022–2026 and partnerships with civil society actors undertaken to monitor and evaluate the implementation of the Strategy and the progress achieved;

(b) An explanation of the definition of rape in accordance with criminal law;

(c) Information on capacity-building programmes delivered to prosecutors and the police to identify, investigate and prosecute cases of gender-based violence, including domestic violence;

(d) Information on training provided to front-line workers across public bodies to increase awareness and understanding of gender-based violence against women, including early and forced marriages and female genital mutilation;

(e) Information on financial resources allocated to NGOs that provide services to victims of gender-based violence, including domestic violence.

Trafficking and exploitation of prostitution

11. Please provide information about the current public policies and action plans to combat trafficking in persons and provide the number of women and girls who have been victims of trafficking, disaggregated by age, country of origin, minority status and migrant, refugee or asylum status. Please also report on the following:

(a) Existing mechanisms and the human, technical and financial resources allocated to identifying women and girls who are victims of trafficking and sexual exploitation;

(b) Data on trafficking victims, the number of investigations and prosecutions of cases of trafficking in women and girls, and the sentences imposed on the perpetrators, in the past five years;

(c) Measures taken to improve the investigation and successful prosecution of trafficking crimes;

(d) The type of redress and reparations provided to women and girls who are victims of trafficking, and how the State party ensures that victims of trafficking receive them;

(e) Support services available for victims of trafficking, including psychosocial support, free legal aid and shelters.

12. Please provide information on:

(a) The impact of the Criminal Law (Sexual Offences) Act 2017, which introduced the criminalization of the purchase of sexual services by clients, in addressing the exploitation of prostitution in the State party;

(b) Measures to support women who wish to leave prostitution, including by assisting them in gaining access to alternative means of livelihood;

(c) Actions taken to expunge convictions for "sale of sex" offences from criminal records.

Participation in political and public life

13. Please provide the Committee with:

(a) Information on measures taken to promote the equal representation of women in political and public life, including at decision-making levels, and to promote the representation of disadvantaged groups of women, such as rural women, women from ethnic minority groups and women with disabilities, in political office;

(b) Data on the representation of women in appointed political positions, local administrative bodies at the municipal level, the judiciary, senior academic and foreign service positions and State-owned companies;

(c) Data on the extent of online harassment, notably through social media, against women who take public positions on certain societal issues and describe the State party's legal framework, policies and processes with regard to cyberharassment and measures taken to protect the rights of politically exposed women.

Non-governmental organizations

14. Please provide information on:

(a) State funding schemes for NGOs and the share of these funds devoted to women's rights and gender equality in the past five years;

(b) Plans to increase the allocation of multi-annual resources to women's rights organizations.

Education

15. In the light of the Committee's previous recommendations (para. 39), please inform the Committee of:

(a) The strategy adopted to combat gender stereotypes and sexism and to raise awareness of gender equality in the field of education;

(b) Strategies and action plans adopted to promote women's and girls' choice of non-traditional fields of education, such as science, technology, engineering and mathematics and digital technology, and the corresponding career paths;

(c) The development of a gender-sensitive approach to apprenticeships and the implementation of the National Skills Strategy 2025 and its impact on increasing the participation of women and girls in apprenticeships;

(d) The results and achievements of the Gender Equality Task Force Action Plan 2018–2020 in the higher education sector.

16. Please inform the Committee on:

(a) Steps taken to overcome the low levels of education attainment among girls belonging to linguistic and ethnic minority groups;

(b) Training and support provided to educators to ensure that the delivery of relationship and sexuality education is grounded in the principles of gender equality, equal access and intersectionality, and the independent monitoring and evaluation mechanisms in place;

(c) Measures taken to ensure the inclusion in the school curricula of mandatory and standardized age-appropriate education on sexual and reproductive health and rights and responsible sexual behaviour.

Employment

17. In the light of the Committee's previous recommendations (para. 41), please provide information on the following:

(a) Wage surveys and their results, the analysis of the gender pay gap undertaken by the State party and its use in policymaking and in awareness-raising activities, and digital applications developed to put the results to use among the public;

(b) Measures taken to adopt the European Union Pay Transparency Directive (Directive (EU) 2023/970) to reduce and eradicate the gender pay gap, which is currently estimated at 9.9 per cent, and enforce the principle of equal pay for work of equal value in both the public and private sectors;

(c) Oversight by the Labour Inspectorate of the private sector and the measures taken to raise awareness among private sector employees of employers' equal pay obligations and the support available from the Labour Inspectorate;

(d) Measures taken to adopt the European Union directive on improving the gender balance on company boards (Directive (EU) 2022/2381).

18. Please inform the Committee on:

(a) The representation of women in management positions in private companies in the past five years;

(b) Mechanisms in place for filing complaints of sexual harassment in the workplace and for ensuring that cases are investigated and perpetrators are brought to justice; the number and types of complaints of sexual harassment at work that have been brought before a competent authority or the courts in the past five years; the percentage of cases that have been deemed founded, in which perpetrators were sanctioned; and the sanctions imposed on perpetrators;

(c) The number of childcare centres/facilities and services created in the past five years and the availability of long-term care services.

19. Please provide information on the measures taken to:

(a) Reduce horizontal and vertical occupational segregation;

(b) Encourage men to use shared parental leave and to develop more flexible leave systems that allow both women and men to equally attend to care tasks;

(c) Ratify relevant international treaties and conventions, including relevant conventions of the International Labour Organization, such as the Workers with Family Responsibilities Convention, 1981 (No. 156), and the Maternity Protection Convention, 2000 (No. 183).

Health

20. Please inform the Committee on:

(a) The extent to which the strategy for universal health care for all has been fulfilled, having particular regard to the most recent Sláintecare Progress Report and 2023 Action Plan; the current status of the multi-annual strategy that is due to commence in 2024; and the budgetary commitments and associated time frames set to implement Sláintecare in full;

(b) The current status of the implementation of the O'Shea abortion services review and the next steps to ensure its full and effective implementation, and data on women travelling outside the country to have an abortion;

(c) The current status of the establishment of the new national maternity hospital;

(d) Measures taken to ensure mental health priorities and services are gender-sensitive and that women's mental health is specifically and sufficiently addressed in the implementation of the Sharing the Vision mental health policy;

(e) The proportion of the overall health budget spent on women's health, including disaggregated data on public spending on sexual health, maternal health, fertility, menopause, gender-based violence and women's mental health.

Economic empowerment of women

21. Please inform the Committee about:

(a) Gender impact assessments of fiscal policies conducted from a gender equality perspective to ensure that neither direct nor indirect discrimination feature in the fiscal policy, and how the State party has assessed the recommendations of the Commission on Taxation and Welfare regarding an individualized system and cliff edges;

(b) Measures adopted to address the disproportionate adverse impact of business activities on women and girls, including the development of the second national action plan on business and human rights and legislation on mandatory due diligence;

(c) Measures to support women entrepreneurs throughout the State party, start-up businesses owned by women and women beneficiaries of finance schemes for businesses, including microcredits and appropriate technology for establishing and developing small and medium-sized enterprises, and the eligibility criteria for start-up programmes, microcredit schemes and entrepreneurship programmes;

(d) Actions taken to implement the recommendations of the Parliamentary Committee on Gender Equality on gender equality budgeting, including the introduction of a statutory framework;

(e) Measures taken to strengthen the support provided to low-income families and single-headed households, led predominantly by women, to ensure an adequate standard of living and address housing and food insecurity, in particular women's homelessness.

Rural and disadvantaged groups of women

22. Please inform the Committee about:

(a) The overall situation of rural women, highlighting the impact of the measures taken to improve rural women's land ownership; the involvement of

women's organizations in new rural policy planning; and strategies and specific programmes to ensure that rural women and girls have adequate access to education, employment, childcare and health care, as well as to decision-making processes and means of economic empowerment;

(b) The National Traveller and Roma Inclusion Strategy and its implementation, monitoring and evaluation;

(c) The improvement in women's conditions in places of deprivation of liberty and how the problem of overcrowding has been addressed; monitoring and oversight mechanisms in place; and complaints procedures available;

(d) The lack of an open prison or equivalent for female offenders, despite this being recommended by the Committee of Inquiry into the Penal System in the Whitaker Report in 1985;

(e) Measures taken to support and resource women with disabilities to live independently, including plans to provide person-centred financial support, the legal right to personal assistance and flexible services across the life cycle.

Marriage and family relations

23. In the light of the Committee's previous recommendations (para. 57), please inform the Committee of:

(a) Measures taken to establish a statutory maintenance authority and the prescription of amounts for child maintenance, which would reduce the burden on women of having to litigate to obtain child maintenance orders;

(b) The rates of default on child support payments and measures in place for the enforcement of child support orders;

(c) The results of research on the economic consequences of divorce on both spouses.

Climate change and disaster risk reduction

24. Please describe steps taken to integrate a gender perspective into national policies on climate change in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. Please specify any measures taken to ensure the effective participation of women in decision-making processes on climate change adaptation, disaster risk reduction, and land and environmental resource management.

Additional information

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous combined periodic reports (CEDAW/C/IRL/6-7) in 2017. Such measures may include recent laws, developments, plans, programmes and ratifications of human rights instruments, as well as any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised in the present document, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.