

Ireland

(21st session)

161. The Committee considered the combined second and third periodic reports of Ireland (CEDAW/C/IRL/2-3) at its 440th and 441st meetings, on 21 June 1999 (see CEDAW/C/SR.440 and 441).

(a) Introduction by the State party

162. The representative of Ireland began his introduction by emphasizing Ireland's involvement of women in politics, giving the example of the election of their second successive woman President, which followed an election in which four of the five candidates were women. Although the number of women in Parliament was still lower than desired, the Second Commission on the Status of Women had made several recommendations to the Government and political parties were seeking to increase women's representation. The representative explained that the 1998 Employment Equality Act outlawed discrimination on nine grounds, including gender, marital status, family status, sexual orientation and membership in the "traveller" community.

163. The representative described the role of women in the labour force, noting the participation of women in the civil service and policies with regard to sexual harassment, childcare, parental leave, work sharing and part-time work. He noted that childcare was seen as one of the most important ways of reconciling work and family life, and a working group had been established to report on that. He described the national development plan on equal opportunities between women and men.

164. The representative noted that the educational system enabled each person to fulfil her or his potential, and was reinforced by the Education Act of 1998, which made specific provisions for the promotion of equality of access to and participation in education. The Equality Committee of the Department of Education and Science had been established to monitor and coordinate activities relating to equality of opportunity for girls and boys in education. It was also developing strategies for mainstreaming gender equality and had also addressed the under-representation of women in decision-making positions in education. Following research and a series of pilot courses designed specifically for women interested in seeking promotion to decision-making positions, more women had been appointed to senior positions, but the Government recognized that more women in top management positions were still required.

165. The representative described the National Anti-Poverty Strategy and its key objective of reducing inequalities and focusing on the gender dimensions of poverty. Single-parent and single-adult households were given particular attention in the Strategy. The representative noted that women in both urban and rural areas experienced problems arising from poverty and marginalization, and that women's and community groups had an important role in tackling those problems.

166. The Committee was informed that Ireland's five reservations to the Convention were being kept under regular review. The reservation to article 13 (b) and (c) concerning access to financial credit and recreational facilities would be lifted when an equal status bill, which would prohibit discrimination in areas other than employment, was enacted. The removal of the reservation relating to contracts entered into by women was also expected.

167. The representative informed the Committee that in 1993, the Government had established a task force to examine the needs of "travellers", which had resulted in a report containing over 300 recommendations. The report recommended the examination of gender implications in order to ascertain how policies and practices contributed to or hampered progress for "traveller" women. Proposals for future initiatives would be monitored and resources would be made available for the collection and collation of data. The representative noted that the health of "traveller" women was a priority area, that outreach services and on-site and special clinics had been introduced or were in the planning stages and that the Primary Health Care for Travellers Project established in 1994 trained "traveller" women in the delivery of primary health-care services.

168. The representative indicated that measures, including the Refugee Act of 1996, had been introduced to deter discrimination against refugees and asylum seekers. Measures to address vulnerable categories of refugees, such as victims of trauma, torture or rape, had also been introduced.

169. The representative informed the Committee about the new women's prison that had been built to replace existing inadequate accommodation. Education, work-training and physical education facilities for female prisoners had also been introduced.

170. The representative indicated to the Committee that in order to meet women's health needs fully, the Plan for Women's Health, 1997-1999, had been developed. Its four main objectives include maximizing the health and social gains for Irish women; creating a woman-friendly health service; increasing consultation with, and representation of, women in health services; and enhancing the contribution of the health services to promoting women's health in the developing world. The plan had been supplemented by the establishment of a Women's Health Council, which provided for women's participation in the policy-making processes.

171. The representative noted that violence against women continued to be of grave concern to the Government, and had led to the establishment in 1997 of the National Steering Committee on Violence against Women. Its objectives included the development of public-awareness campaigns, criminal justice intervention, services and support. Regional Committees on Violence had been formed in the eight Health Board regions and were designed to draw together the services available to women to provide a sympathetic and consolidated approach to the treatment of victims of violence. Rape crisis centres were regarded as vital for the victims of rape and sexual abuse.

172. In concluding, the representative indicated that Ireland had supported a strong optional protocol during negotiations, and expected to ratify it as soon as the protocol was adopted and opened for signature, accession or ratification.

(b) Concluding comments of the Committee

Introduction

173. The Committee expresses its appreciation to the Government of Ireland for submitting its combined second and third periodic report, containing data disaggregated by sex. It commends the Government for the comprehensive written replies to the Committee's questions and its oral presentation which provided additional information on the current situation of the implementation of the Convention. It appreciates the manner in which the State party identified areas for further progress.

174. The Committee commends the Government of Ireland for having sent a large delegation, headed by the Second Secretary of the Department of Justice, Equality and Law Reform, and including officials from various branches of Government. Their participation enhanced the quality of the constructive dialogue between the State party and the Committee. The Committee notes that information was provided in the combined second and third periodic report, as well as in the written replies, on Ireland's follow-up to the Beijing Declaration and Platform for Action.

Positive aspects

175. The Committee commends the Government on its steady progress in withdrawing reservations entered to the Convention upon ratification, and on the fact that remaining reservations are kept under review.

176. The Committee welcomes legislative changes since the consideration of the initial report in 1989, including the adoption of the Criminal Law (Rape) (Amendment) Act (1990), the Criminal Justice Act (1993), the Domestic Violence Act (1996), the Parental Leave Act (1998), the Education Act (1998) and the Employment Equality Act (1998) and the forthcoming entry into force of the Equal Status Bill, published in April 1999. In particular, the

Committee welcomes the amendment to the Constitution allowing for the introduction of divorce, and the subsequent adoption of the Family Law (Divorce) Act of 1996. The Committee also notes the pending establishment of an independent statutory-based Human Rights Commission, as well as consideration of the incorporation of the European Convention for the Protection of Human Rights and Fundamental Freedoms into Irish law.

177. The Committee notes with appreciation the appointment, in 1993, of a Cabinet Minister for Justice, Equality and Law Reform, responsible for institutional, administrative and legal reform and for coordinating and monitoring government policies with regard to women's equality. It welcomes the Government's commitment to mainstreaming a gender perspective into all policies and programmes, and the regular scrutiny of all governmental proposals for their impact on women. It also welcomes the issuance of guidelines for dealing with sexual harassment in the civil service, and the adoption of a plan of action on elderly women.

178. The Committee notes with appreciation that women have benefited from a strong economic growth rate in recent years and have entered the labour market in unprecedented numbers. The Committee welcomes the Government's commitment to reaching the target of a minimum of 40 per cent of women on each State board, and the increase to over 33 per cent of Irish women in the elections to the European Parliament in June 1999.

Factors and difficulties affecting the implementation of the Convention

179. The Committee considers that the persistence of the emphasis on the role of women as mothers and caregivers tends to perpetuate sex role stereotypes and constitutes a serious impediment to the full implementation of the Convention. The lack of emphasis, in public perception and in State policy, on the shared responsibility of men for family and caring work further compounds the situation of de facto inequality of women.

Principal areas of concern and recommendations

180. The Committee notes that although Ireland is a secular State, the influence of the Church is strongly felt not only in attitudes and stereotypes but also in official State policy. In particular, women's right to health, including reproductive health, is compromised by this influence. The Committee notes that Ireland did not enter a reservation to article 12 upon ratification of the Convention. The Committee recommends implementation of this article in full.

181. The Committee expresses its concern that, notwithstanding recent favourable economic growth, which has led to women's labour force participation reaching 40 per cent, there is a considerable age gap in that participation, with almost no women over the age of 50 years in paid employment. It is also concerned that women hold the majority of part-time jobs and earn less than men, and that little progress is being made in assessing and valuing work of comparable value.

182. The Committee urges the Government to ensure that legislation and policies create the structural and systemic framework that will lead to women's long-term participation in the labour force on a basis of equality with men. In particular, the Committee urges the Government to take further measures to reduce the pay gap in women's earnings, taking into account developments that have refined the concepts of equal pay for work of comparable value, and to assess the impact of cultural stereotypes and women's reproductive responsibilities on the continuing pay gap.

183. While welcoming the Government's recent focus on developing and adopting family-friendly, childcare and parental leave policies to facilitate women's participation in the labour market, the Committee expresses its concern that these policies continue to place primary responsibility for family work and childcare on women, rather than emphasizing the shared responsibility of men and women.

184. The Committee urges the Government to monitor and review its work and family life policies and legislation so as to ensure that they create incentives and opportunities for women and men to share, equally, paid work outside the home and unpaid family work. In particular, the Committee recommends that such regulations and policies be accompanied by awareness-raising and educational efforts aimed at changing attitudes concerning women's traditional roles and responsibilities for child and family care. It also recommends that parental leave regulations be

assessed with a view to providing for paid parental leave so as to create an incentive for men to take advantage of their legal entitlements.

185. While noting with appreciation the existence of a Plan for Women's Health, 1997-1999, and the establishment of a Women's Health Council, as well as the wide availability of various programmes to improve women's health, the Committee is concerned that, with very limited exceptions, abortion remains illegal in Ireland. Women who wish to terminate their pregnancies need to travel abroad. This creates hardship for vulnerable groups, such as female asylum seekers who cannot leave the territory of the State.

186. The Committee urges the Government to facilitate a national dialogue on women's reproductive rights, including on the restrictive abortion laws. It also urges the Government to further improve family planning services and the availability of contraception, including for teenagers and young adults. It also urges the Government to promote the use of condoms to prevent the spread of HIV/AIDS.

187. Noting that a National Steering Committee on Violence against Women has been established to develop a national strategy to this issue, the Committee is concerned that no comprehensive and multidimensional strategy has yet been adopted to prevent and eliminate violence against women.

188. The Committee requests the inclusion in the next report of comprehensive statistical information on the types and frequency of violence against women, including domestic violence, the number of complaints brought by women and the results of investigations. The Committee also requests detailed information on sexual harassment against women in the workplace, and on means of redress available to and used by women and the results thereof.

189. The Committee notes with concern that women continue to be under-represented in public and political life, and that structural and attitudinal reasons, including limiting cultural and social values, difficulties in reconciling family life, paid employment and political tasks, have been identified among the reasons for this low representation.

190. The Committee urges the Government to make full use of temporary special measures in accordance with article 4.1 of the Convention to increase women's participation in politics and decision-making. It also recommends that the Equal Status Bill (1999) be implemented to provide for temporary special measures to overcome systemic and indirect discrimination against women. The Committee recommends awareness-raising and educational measures to redress cultural stereotypes, increase men's sharing of domestic work and encourage mentoring, networking and support systems to facilitate women's entry into public life.

191. The Committee recommends that the impact of such legislation and policies on achieving equality for women be rigorously monitored and regularly assessed and evaluated with a view to taking corrective action when and if necessary. The Committee requests that detailed information on these policies, including data disaggregated by sex, a discussion of methodologies and of indicators used and of their impact on women's equality, be included in the next report.

192. The Committee encourages the Government to ensure that the Convention on the Elimination of All Forms of Discrimination against Women is included in the terms of reference of the Human Rights Commission, and that the Commission is made up of a balanced number of women and men.

193. The Committee expresses its concern about the continuing existence, in article 41.2 of the Irish Constitution, of concepts that reflect a stereotypical view of the role of women in the home and as mothers. It is aware that amendments to this article are being considered by the Parliamentary Committee on Constitutional Reform. The Committee also notes with concern that the constitutional guarantee of non-discrimination does not extend to private, non-State actors.

194. The Committee emphasizes that article 5 of the Convention stipulates that all appropriate measures to modify the social and cultural patterns of conduct of men and women be taken, with a view to the elimination of prejudices and customary and all other practices that are based on stereotyped roles for men and women. The Committee calls upon the Government to ensure that the Parliamentary Committee on Constitutional Reform is fully aware of Ireland's obligations under the Convention, including article 5.

195.The Committee requests that the next report provide comprehensive information, including statistical data covering life expectancy, literacy rates, employment and property rights, on the situation of rural women. Noting with concern that a recent poverty survey did not provide data disaggregated by sex, the Committee requests that a detailed analysis be included in the next report of the causes, forms and extent of women's poverty and its intergenerational perpetuation, as well as of the impact of measures to reduce and eliminate women's poverty in general and that of vulnerable groups of women in particular.

196.The Committee is concerned about the lack of sex- disaggregated data on members of the academic profession with respect to different fields and levels. This is necessary to assess women's advancement in higher education. It is also concerned about the inadequacy of information provided on women's studies in tertiary education in Ireland.

197.The Committee requests that the next report provide sex-disaggregated data on academic personnel in the universities, as well as information on the activities and programmes on women's studies centres, particularly with respect to whether or not they grant degrees and to what extent gender and women's studies courses are integrated into the curricula of conventional disciplines in tertiary education.

198.Noting the recent and extensive legislative developments in Ireland as they pertain to women's equality, the Committee also notes that there is a need for continuing and ongoing training of the judiciary, including magistrates, on gender sensitivity.

199.The Committee encourages the Government to ensure, through various means and channels, that gender training is not only an integral part of Law School curricula but that it is also part of the continuing education of legal professionals and the judiciary. It also encourages the Government to ensure that an adequate number of women are selected for appointment to specialized courts, such as family courts.

200.The Committee requests that the Government responds in its next periodic report to the specific issues raised in these concluding comments.

201.The Committee requests the wide dissemination in Ireland of the present concluding comments, in order to make the people of Ireland, and in particular government administrators and politicians, aware of the steps that have been taken to ensure *de jure* and *de facto* equality for women and the further steps that are required in that regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.