



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur on follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the combined sixth and seventh periodic report of Ireland, at the Committee's sixty-sixth session held in February 2017. At the end of that session, the Committee's concluding observations ([CEDAW/C/IRL/CO/6-7](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 62 on follow-up to the concluding observations, the Committee requested Ireland to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 15 (a), 17, 21 and 43 (a).

The Committee welcomes the follow-up report received with a fifteen-month delay in June 2020 ([CEDAW/C/IRL/FCO/6-7](#)) under the CEDAW follow-up procedure. At its seventy-eighth session, held remotely due to the ongoing COVID-19 pandemic in February 2021, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 15 (a)** of the concluding observations, urging the State party to **“conduct prompt, independent and thorough investigations, in line with international human rights standards, into all allegations of abuse in Magdalen Laundries, children's institutions and Mother and Baby Homes, and allegations of symphysiotomy in order to prosecute and punish the perpetrators of those involved in violations of women's rights, and ensure that all victims/survivors of such abuse obtain an effective remedy, including appropriate compensation, official apologies, restitution, satisfaction and rehabilitative services”**

In regards to the allegations of abuse in Magdalen Laundries, the Committee takes notes of the apology issued to former residents as well as of the services provided to the victims for support and rehabilitation. The Committee welcomes the measures taken pursuant to the Ombudsman's report on the Magdalen Restorative Justice Scheme, namely the expansion of the Magdalen Scheme to the residents of the 14 adjoining institutions, the appointment of a Senior Counsel to review all cases where there was a dispute over length of stay in a Magdalen Institution, the assistance provided to applicants who lack the capacity to accept an award and the development of central government guidance for future redress schemes. However, the Committee regrets that the State party continues to consider that the 2013 McAleese Report constitute a satisfying investigation and therefore fails to conduct prompt, independent and thorough investigations, in line with international human rights standards, into all allegations of abuse in Magdalen Laundries.

In regards to the allegations of abuse in children's institutions Mother and Baby Homes, the Committee welcomes the interim reports and the final report issued by the statutory

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Commission of Investigation, as well as the measures taken to conduct a phased forensic excavation, exhumation and identification programme at Tuam. Nevertheless, the Committee regrets that the scope of investigation is not broad enough to address the whole spectrum of abuses perpetrated against women and girls, such as the abuses committed in homes and analogous institutions.

Concerning the allegations of symphysiotomy, the Committee welcomes Judge Clark report as Assessor to the Payment Scheme and the measures taken to provide compensation to the women who had undergone symphysiotomy. However, the Committee regrets that no efforts has been made to identify, prosecute and punish the perpetrators who performed the medical procedure of symphysiotomy without the consent of women. It considers therefore that the recommendation has **not been implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 15 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

Conduct prompt, independent and thorough investigations, in line with international human rights standards, into all allegations of abuse in Magdalen Laundries, children's institutions and Mother and Baby Homes, and allegations of symphysiotomy in order to prosecute and punish the perpetrators of those involved in violations of women's rights, and ensure that all victims/survivors of such abuse obtain an effective remedy, including appropriate compensation, official apologies, restitution, satisfaction and rehabilitative services.

In relation to the recommendation made in **paragraph 17** of the concluding observations, urging the State party to “**allocate sufficient budgetary and human resources to the Irish Human Rights and Equality Commission in order for it to discharge its functions effectively.**”

The Committee welcomes information that the Irish Human Rights and Equality Commission has been adequately funded in accordance with Section 26 of the Irish Human Rights and Equality Commission Act 2014, and that several recruitment programmes took place. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation has been **implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

Regarding the recommendation made in **paragraph 21** of the concluding observations, urging the State party to “**take appropriate measures to restore funding for non-governmental organizations working in the field of women's rights so as to enable them to continue to contribute to the implementation of the Convention**”:

The Committee welcomes the adoption of the National Strategy for Women and Girls 2017–2020, including a commitment to enable civil society to advocate on behalf of women and ensure that women's interests are mainstreamed in the work of Government, and the ensuing measures that have been taken such as the increase of National Women's Council core funding. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.



The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

Regarding the recommendation made in **paragraph 43 (a)** of the concluding observations, urging the State party to “**repeal the Protection of Life During Pregnancy Act 2013 in order to legalize the termination of pregnancy at least in cases of rape, incest, risk to the physical or mental health or life of the pregnant woman, and severe impairment of the foetus, and decriminalize abortion in all other cases.**”

The Committee welcomes the adoption of the Health (Regulation of Termination of Pregnancy) Act repealing the Protection of Life During Pregnancy Act 2013. The Committee further notes that the new legislation allows for termination of pregnancy to be carried out without restriction up to 12 weeks of pregnancy, or in case of risk to the life or health of the pregnant woman, or death of the foetus before or within 28 days of birth. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Louiza Chalal
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women