

Summary of the Draft report of the Working Group on the Universal Periodic Review

16 May 2016

On Wednesday 11 May the Irish state delegation, led by Tánaiste and Minister for Justice and Equality Francis Fitzgerald TD and her officials, appeared before the UN Human Rights Council as part of the second cycle of the UN Universal Period Review (UPR).

The UPR is a unique process which involves a periodic review of the UN Member States human rights records. During the review the State delegation is asked questions by politicians and diplomats from the 47 UN countries who sit on the Human Rights Council. During the review the different countries make recommendations that the Government can either choose to accept or reject.

This document is a summary of the UPR Recommendations relating to children and young people. A full unedited version of the Recommendations can be found [here](#).

The following recommendations have been supported by Ireland [Please note they have been re-ordered under thematic headings for ease of reading]:

2nd Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP-CRC-SC)

- Ratify the OP-CRC-SC and the CRPD (Convention on the Rights of Persons with Disabilities) (Iran (Islamic Republic of))
- Accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP- CRC- SC)
- Ratify the OP-CRC- SC (Senegal, Uruguay, Andorra, Czech Republic, Finland, France, Guatemala)
- Proceed with the ratification of the OP-CRC-SC (Togo)

Disability and Special Educational Needs

- Accede to the CRPD(Convention on the Rights of Persons with Disabilities) (Sierra Leone)
- Ratify the CRPD and the Op-ICESCR (Spain)
- Ratify the CRPD (Pakistan, Israel, Montenegro, New Zealand, Ghana, Poland, Sudan, Ukraine, Uruguay, Bulgaria, France, Guatemala, Italy, Brazil)
- Become a State Party of the CRPD (Slovakia)
- Step up its efforts to ratify the CRPD (republic of Korea)
- Ratify promptly the CRPD (Australia)
- Ratify the CRPD as soon as possible (China)
- Ratify the CRPD without further delay (Germany)
- Pass the necessary legislation as soon as possible to enable the ratification of the CRPD (Hungary)
- Accelerate the process towards ratification of the CRPD (Philippines)
- Take concrete steps to ratify the UN CRPD and effectively implement policies and programmes to ensure full enjoyment of all related rights (Canada)
- Continue efforts to ratify the CRPD (Iraq)
- Finalise the consideration to become a party to the CRPD (Malaysia)
- Continue making progress towards the ratification of the CRPD (Venezuela (Bolivarian Republic of))
- Ratify the CRPD and prioritize measures to further strengthen the existing framework, including increase the meaningful participation of the persons with disabilities in policy making (Indonesia)
- Accede to the UNCRPD while bringing the Mental Health Act of 2001 into line with the provision of this Convention (Qatar)
- Continue to address outstanding barriers to the ratification of the CRPD, including legislative changes that need to be undertaken in view of enabling ratification (State of Palestine)
- Expedite the necessary legislative reforms and set a concrete timeline towards ratification of the CRPD (Thailand)
- Proceed with the ratification of the CRPD and its Optional Protocol (Togo)
- Accelerate the ratification of the CRPD to strengthen the protection of persons with disabilities, and to further improve their role in the society (Croatia)

Human Rights Education

- Strengthen human rights education plans orientated towards women's rights, rights of the child and freedom of religion (Panama)
- Continue implanting human rights education towards child and women's rights (Timor – Leste)
- Further continue the implementation of human rights education towards women and children's rights (Greece)

Immigration

- Amend the provision of the Law on the Defender of the Minor, that impedes the Ombudsman from investigating the claims of children that find themselves in a situation of irregular migration (Honduras)

- Apply the international standards relating to the treatment of refugees and asylum seekers, provide them with adequate services and speed up the processing of their application (Qatar)

Child and Family Agency

- Provide the Child and Family Agency with adequate resources to be able to meet its targets effectively and implement the Children First Act (Slovakia)

Children and Young People's Participation

- Continue implementing the National Strategy on Children and Young People's participation in Decision making 2015-2020 (Sudan)
- Ensure the rights of the child are fully respected in accordance with the Convention on the Rights of the Child, in particular its Article 20 when deciding on appointment of a guardian or trustee (Latvia)

Corporal Punishment

- Put an end to corporal punishment in all settings (Honduras)

Youth Justice

- Guarantee the closure of the Saint Patrick's Institution and the effective implementation of the Children (Amendment) Act of 2015 and the Prisons Act of 2015 (Israel)
- Continue with its efforts to bring incarceration facilities into line with the international standards, especially regarding overcrowding, cell sanitation and the separation of young prisoners (Holy See)
- Ensure complete separation of remand and sentenced prisoners, juvenile and adult prisoners and detained immigrants (Egypt)

Youth Marriage

- Eliminate all exceptions permitting the marriage under the age of 18 years (Egypt)

Discrimination

- Have further legal procedures to combat racial discrimination and develop a plan to combat racism, as recommended by the Committee on the Rights of the Child (Bahrain)
- Continue to strengthen the basic rights and non-discrimination of the Roma and Travellers (Chile)
- Adopt a progressive Traveller Roma inclusion strategy with clear goals; indicators; timeframes and budget in consultation with affected groups (India)
- Activate the policies for integration of Traveller and Roma in all social, economic, cultural, political, educational and other spheres (Lebanon)
- Give special emphasis to employment, access to healthcare and the right to housing in the application of the national strategy on the inclusion of Travellers and Roma (Spain)

Social Protection and Housing

- Conduct targeted/focused policy of social support to the population in need, especially children (Belarus)
- Take the necessary steps in order to increase the availability of social housing and emergency housing support and to adopt appropriate measures to solve long-term needs (Turkey)
- Adopt measures to decrease the number of homeless persons, including through the availability of social housing (Portugal)
- Take all necessary legislative and policy measures to provide access to affordable housing with a view to ending long-term involuntary homelessness (Holy See)
- Continue with efforts to implement necessary measures with a view to end long-term involuntary homelessness (Montenegro)
- Take measures to strengthen support institutions for homeless persons, including pregnant women left without housing (Russian Federation)

Health

- Make sure all women and young girls have easy access to information crisis pregnancy options by health providers (Sweden)

Education

- Wider availability of multi-denominational and non-denominational schools to better cater to the multi-cultural society in Ireland today (India)
- Establish a system providing children and their parents the real opportunity to choose from among religious, multi-denominational or non-denominational types of schooling and curricula (Czech Republic)
- Ensure that all children have the option to attend a non-denominational school at no extra cost (Slovenia)
- Step up efforts to promote to ensure equal opportunities for all children to quality education (Philippines)
- Step up efforts towards a more inclusive education system, especially by focusing on social education needs (Turkey)

The following recommendations will be examined by Ireland which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council in September 2016 [Please note they have been re-ordered under thematic headings for ease of reading]:

Disability and Special Educational Needs

- Accede to the OP-CRC-SC, ICRMW, CRPD, ICPPED and the Convention against Discrimination in Education (Honduras)
- Ratify as soon as possible the UN CRPD, without any reservation (Sweden)
- Ratify the UN CRPD and fully implement the Education for Persons with Special Educational Needs Act 20014 as soon as possible (United Kingdom of Great Britain and Northern Ireland)
- Ratify the Convention on the Rights of Persons with Disabilities and ratify the OPtion Protocol to CRPD and adopt legislation on gender pay equity and abolish religious discrimination in schools (Saudi Arabia)

Human Rights

- Consider creating a dedicated overarching Parliamentary Committee on Human Rights and Equality (United Kingdom of Great Britain and Northern Ireland)
- Adopt a National Human Rights Action Plan and continue consultation towards this end with stakeholder (Kenya)
- Adopt a national plan of action on human rights (South Africa)
- Adopt a comprehensive national human rights Action plan (Sudan)
- Encourage the development of a National Action Plan on human rights (Greece)

Family

- Undertake measures to eliminate stigmatisation and discrimination against children born out of wedlock by providing legal certainty in respect of their family name (Namibia)
- Provide protection of the family as the natural and fundamental unit of the society (Egypt)

Youth Justice

- Reinstate the age of criminal responsibility of 14 years of age as prescribed in the Children's Act (Botswana)
- Raise the age of criminal responsibility to 18 years for all types of offences (Haiti)

Discrimination

- Adopt a comprehensive anti-discrimination legislation that includes all grounds set out in the ICESCR (India)
- Adopt comprehensive anti-discrimination legislation that includes all the grounds for discrimination (Israel, South Africa)
- Conduct and finalize a timely review of the request for recognition of the Travellers as an ethnic group (United States of America)
- Strengthen measures to eliminate discrimination against Roma and children on the basis of religion in health and education sectors (Bangladesh)

Health

- Expedite the adoption of a national action plan on food security and nutrition (Algeria)
- Put into effect its undertaking of previous commitment to implement this year, in strengthening the free health care sector to include all children under the age of 12 (Libya)
- Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is a part of the mandatory school curricula and targeted at adolescents (Lithuania)
- Ensure that the new system of universal health care guarantees availability and access to services to boys and girls and contraception methods to adolescents, while allowing access to these services in general without discrimination on any grounds (Mexico)
- Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum

and targeted at adolescents girls and boys, with special attention on preventing early pregnancy and sexually transmitted infections (New Zealand)

- Take concrete measures for the issuance of medical cards in Traveller and Roma Communities, to guarantee that such children enjoy the same access to and quality of health-care services as others (Iran(Islamic Republic of))

Education

- Review and amend laws, as appropriate, to ensure that publically funded schools provide equal access to education for all , irrespective of one's faith or religious affiliation (United States of America)

Immigration

- Ensure family reunification and the conditions of the reception of refugees and asylum – seekers in the implementation of the Law on International Protection are in accordance with international law (Guatemala)
- Accelerate the entry into force of the new programme for the protection of refugees and ensure that it guarantees the protection of the best interest of the child and fully complies with international standards regarding unaccompanied migrant children and family reunification (Mexico)
- Amend the General Scheme for the International Protection Bill to address family reunification, best interests of the child and the legal framework of reception conditions (Egypt)
- Address concerns about family reunification and the best interest of the child in its legislation on refugees (Brazil)