Season's Greetings,

In this issue of the Irish Human Rights and Equality Commission newsletter, we bring you the latest news from the Commission, together with useful resources and information on significant human rights and equality issues in Ireland.

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**Marking 70 Years Since the Adoption of the Universal Declaration of Human Rights**
People in Ireland overwhelmingly (84%) believe that stronger protections for human rights and equality makes the country a better place to live, with 86% agreeing that they care deeply about making Ireland a fairer place to live, according to a new national poll which was published by the Commission to mark International Human Rights Day and the 70th Anniversary of the Universal Declaration on Human Rights.

The poll results also show that:

- **More to do on human rights and equality** – 85% of people believe we still have significant work to do in Ireland to protect human rights and equality – this figure is up 6% from a similar poll carried out in 2015.
- **Housing** – 82% of people generally, and 89% of 18-24-year olds believe that housing should be considered as a human right. 63% of people generally, and 78% of 18-24-year olds believe that a right to housing should be entered into Ireland’s Constitution.
- **Minority rights** – People consider that members of the Traveller Community are most likely to have their human rights infringed or to experience discrimination in Ireland, with 29% of people identifying Travellers as the most at risk group.
- **Disabilities** – People ranked job hunting (74%) as the area where people with disabilities are most likely to encounter discrimination, over accessing public transport (66%) or in work (59%).
- **Equality of opportunity** – Opinion is sharply divided on a person’s ability to achieve their potential in our society with 36% believing that potential is limited by prejudice, discrimination or neglect compared to 37% who believe that it is not.
- **International leadership** – Just under a quarter of people (23%) feel that Ireland is an international leader when it comes to human rights and equality.

The Commission also marked the 70th anniversary by producing bilingual posters for primary and secondary students featuring the 30 articles of the Universal Declaration of Human Rights.

**Resources**

Poster - 70th anniversary of the Universal Declaration of Human Rights
Human Rights and Equality Amárach Research survey results

**Related Media**

RTÉ News2Day interview
RTÉ Morning Ireland interview
Irish Examiner article
Commission Challenges Rise of Hate Speech Online

Chief Commissioner Emily Logan came as the Commission brought together international experts and commentators from the worlds of law, media, academia and the tech sector to focus attention on online hate speech in the Irish context. The event “A More Social Media” heard from international experts including Dr. Tarlach McGonagle, University of Amsterdam Institute for Information Law, Siobhán Cummiskey, Facebook’s Head of Content Policy and Emma Dabiri, BBC broadcaster and writer.

As part of the event, new research entitled, “Hate Track – Tracking and Monitoring Racist Online Speech Online”, which uses computational methods to understand online racist speech in the Irish context was presented and published. The experimental research has been funded by the Irish Human Rights and Equality Commission and the Irish Research Council, and had been carried out by Dublin City University (DCU).

Resources
Hate Track - Tracking and Monitoring Racist Online Speech

Related Media
Irish Times editorial article
Irish Times article
Irish Independent article
Irish Examiner article
RTÉ Drivetime interview (at 2hours 8mins 50 sec)
Commission media release
Advancing Human Rights and Equality in the Courts - Landmark Ruling on Equality Case in European Court

The Commission was involved in a landmark ruling of the Court of Justice of the European Union (CJEU) in a long-running test case to determine whether the Workplace Relations Commission (WRC) has the power to disapply national law that conflicts with EU law.

The Commission represented two of the men at the centre of a decade-long age discrimination case, and in June 2018 appeared before the Grand Chamber of the CJEU in Luxembourg to represent them. The Commission argued that, in order to provide an effective remedy where issues of discrimination are raised under equality legislation, the WRC must have the authority under EU law to disapply national law where it conflicts with EU laws. The Court agreed in its ruling.

Resources
Full judgement of the Grand Chamber of the CJEU

Related Media
Law Society Gazette article
Commission Media Release

Advancing Human Rights and Equality in the Courts - Family Reunification

In November, the Commission appeared before the Court of Appeal as amicus curiae (‘friend of the court’) in two cases involving family reunification for naturalised refugees.

The test cases ‘MAM’ and ‘KN’, which are being heard jointly, involve significant human rights issues. In both, the Minister for Justice and Equality refused applications for family reunification from individuals who had been granted refugee status under the Refugee Act 1996 and subsequently naturalised as Irish citizens, saying that they were no longer entitled to
“refugee” family reunification since becoming Irish citizens.

Related Media
Irish Legal News article
Commission media release

Advancing Human Rights and Equality in the Courts - Human Trafficking

The Commission has been granted leave from the High Court to exercise its amicus curiae ('friend of the court') function in a case based on allegations of human trafficking and other severe forms of labour exploitation on the Irish fishing fleet. The substantive issues are expected to be before the High Court in Spring 2019.

The Commission’s involvement in this High Court case continues its anti-human trafficking work. The Commission previously appeared as amicus curiae in the “P” case, which concerned a Vietnamese woman the Gardaí discovered locked in a cannabis “grow house”. Having considered the Commission’s legal submissions, the High Court found that the State’s administrative scheme for the recognition and protection of victims of human trafficking was inadequate to meet its obligations under EU law aimed at combatting trafficking in human beings.

Following the ‘P’ case, in December 2016 the Commission met with the Council of Europe Group of Experts on Action against Trafficking (GRETA) in Dublin to raise concerns about how victims of trafficking are identified, protected and supported. The Commission’s input was reflected in the Council of Europe report dated October 2017, which highlighted crucial gaps in Ireland’s protections for victims of trafficking in human beings.

Related Media
Irish Times article
Irish Examiner article
Commission media release
New Research Recommends UK-Irish Treaty is Best Solution to Ensure Common Travel Area Rights Post-Brexit

The Joint Committee of the Irish Human Rights and Equality Commission and the Northern Ireland Human Rights Commission has brought forward new research which highlights that the Common Travel Area (CTA) between Ireland and the UK is currently “written in sand, and its terms are much more limited than is often believed to be the case”. These arrangements would benefit from greater legal certainty to continue their smooth operations beyond Brexit.

The research carried out by academics at Newcastle University, Durham University and the University of Birmingham recommends that both the Irish and UK Governments should look to secure a “gold standard” approach through a new intergovernmental Common Travel Area treaty. Such a treaty would formalise common immigration rules, travel rights, residency rights, and related rights to education, social security, work, health and security and justice, ensure Common Travel Area rights post-Brexit.

Resources
Discussion Paper on the Common Travel Area

Related Media
Irish Times article
Irish Legal News article
Commission media release

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