

**EXAMINATION OF IRELAND'S 4TH AND 5TH REPORTS
UNDER THE
CONVENTION ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN**

NATIONAL STATEMENT

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IRELAND

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Introduction

Madame Chair, members of the Committee, I am honoured to present Ireland's statement to the distinguished Committee and on my own behalf and on behalf of my delegation, I look forward to engaging with you in what I know will be a constructive dialogue here today. I am joined on our delegation by our Permanent Representative here in New York, Ambassador Ryan and by experts from my own Government Department, covering the areas of gender equality, immigration policy and violence against women. We also have experts from the Departments of Enterprise, Trade and Employment; Education and Science; Health and Children; Social and Family Affairs; as well as from the Attorney General's Office.

Ireland attaches great significance to CEDAW, as the principal human rights instrument affecting the position of women in society, and we believe that this process of review is a critical element in ensuring that discrimination against women in any form, is consigned to the history books. We take seriously the recommendations made by your Committee, and I believe that this is clear from the actions we have taken in a number of areas since our last examination in 1999. I have not come here today to tell you that women in Ireland have achieved the level of equality with men that we all desire, because they haven't. But I have come to say that in a short space of time, we have made dramatic strides and that we are well placed to address the remaining deficits where they exist. I don't propose in this statement to repeat material already provided to the Committee either in our Reports or in our responses to your questions, except where they provide context. Before I deal with some specific issues in relation to our 4th and 5th Reports, I would like to say a few words about the changed landscape in Ireland today.

Ireland today is unrecognisable from the Ireland of thirty or even ten years ago. Indeed, when Ireland appeared before this Committee in 1999, the Celtic Tiger was a cub and the dramatic improvement in the country's fortunes could scarcely have been foreseen. Today, Ireland has the second highest GDP per capita in the European Union, second only to Luxembourg. Ireland, long characterised by unemployment and emigration, now enjoys near full employment and immigration has replaced emigration as a major challenge facing the country. Economic prosperity has allowed the Government to dramatically increase spending on education, health and social

welfare. However, the rate of economic growth has meant that although social welfare rates have increased in real terms, income inequalities have grown as wages have risen at an even faster pace.

Employment

Needless to say, women have played and are playing a major part in this transformation, and nowhere is this more evident than in the Irish labour market. The employment rate for females aged 15-64 has increased from 40% in 1994 to 56% in 2004, close to the European Union's Lisbon target of 57% by 2005. At the same time, the female unemployment rate is 3.6%, with long-term unemployment of females, i.e. those on the register for more than one year, at 0.8%. There are many reasons for the improved employment situation of women. Obviously, the generally positive economic situation in Ireland has led to a higher demand for labour generally. However, the reality is that changes in legislation in relation to maternity and adoptive leave, parental leave and equality, the introduction of tax individualisation and reductions in the tax burden on work, the development of a childcare infrastructure and women's achievements in the education system, have all contributed in their own way to this success story. None of this is to say that there aren't issues that still need to be addressed in relation to women's employment in Ireland.

Without doubt the most topical issue facing us in relation to employment is caring. While eldercare and care for the disabled are issues for many people, the availability of quality, affordable childcare challenges many working parents. The Government shares the concerns of parents on this issue and we are also acutely aware of the complexities involved in designing a system of childcare provision that meets the requirements of parents and children. Any comment on childcare provision in Ireland must take account of the fact that before the introduction of the Equal Opportunities Childcare Programme 2000-2006, there was little or no State support for Childcare. So the first problem facing Government was to increase supply. This is being done under the Equal Opportunities Childcare Programme and the investment involved is significant. Following the 2005 Budget, the total funding committed to Childcare over the period 2000 to 2009 will amount to €725 million. This funding will support the creation of new places as well as the improvement of existing childcare places, and the improvement of quality in the sector. The childcare programme 2000 – 2006

has resulted in the provision of 20,500 childcare places to date and is expected to reach over 36,000 childcare places in total by the end of the programme. As well as boosting supply, Child Benefit payments, which are made directly to the mother, have more than doubled in real terms since 1997. The Government acknowledges that while these developments have had a positive impact on the capacity of women to engage in employment, education and training, more needs to be done. I can assure the Committee that this issue is high on the Government's agenda and that we intend to address the outstanding issues.

Before leaving the issue of employment, I would like to mention the gender pay gap. Ireland has made considerable progress in relation to the gender pay gap with a significant narrowing of the gap in recent years. Statistics produced by Eurostat (the European Union Statistics Body) show an Irish Gender Pay Gap of 16% which is close to the EU average. Recent reductions in the gap are attributable to a number of factors including the introduction and regular uprating of the National Minimum Wage; the implementation of various legislative provisions; the introduction of the Equal Opportunities Childcare Programme; partial-individualisation of the taxation system; increases in child benefit payments; and the continued strength of the Irish economy; as well as the underlying strong demand for labour. Research carried out by the Economic and Social Research Institute and published in "How Unequal – Men and Women in the Irish Labour Market", identified women's detachment from the labour market for childrearing as the major contributor to the gap. Under the last social partnership agreement, a Group chaired by my Department, made up of the Social Partners, the Department of Enterprise, Trade and Employment, the Equality Authority, the Central Statistics Office and including the National Women's Council of Ireland, prepared a Report to Government with recommendations to address the gap. I am pleased to say that progress has been made on many of the issues identified in that Report and the Government continues to monitor the situation closely. I should say however, that there is no evidence that the gender pay gap in Ireland is caused by discriminatory pay practices, which would of course be illegal.

Education

Let me turn now to the issue of education. There is no doubt in my mind but that decisions made by the Irish Government in relation to education in the 1960s have

made a huge contribution to our subsequent economic success. It is also my view that subsequent changes in the system, including an increased focus on the position of girls has led to the situation today where women make up 52.5% of all entrants to third level courses and constitute the majority of graduates from many fields of study at third level, including Law (65%), Health (82%), Veterinary (67%) and Business and Administration (60%). Girls outperform boys at the national baccalaureate, known as the Leaving Certificate Examinations in Ireland and more girls qualify for entry into third level education. Similarly, 75% of females aged 18 are in full-time education, compared to 60% of boys. The Irish Government believes that the Irish education system should serve all students, boys and girls and that despite the successes of girls, there are areas where further progress is needed.

These include, the number of girls pursuing qualifications in Engineering and Technology, and the under-representation of women in senior management positions in our schools and third level institutions. In relation to the Engineering and Technology deficits, a number of initiatives have been undertaken. A Committee has been established by the Minister for Education and Science to examine relevant research and reports and to make recommendations on strategies and initiatives which might be undertaken to increase the uptake by females of the physical sciences in the Leaving Certificate at second level and to increase the number of females choosing Science, Engineering and Technology (SET) courses at third level. The Committee is due to report to the Minister for Education and Science this Autumn.

Under the Equality for Women Measure, my own Department funded two projects based in third level institutions, aimed at increasing the numbers of women in Science, Engineering and Technology. One provided a mentoring service to female students in the field and the other, a foundation course to facilitate entry to women returning to education. We are currently examining ways of mainstreaming the learning from these two very successful projects.

The under-representation of women in management positions in the education system is being addressed through the Women into Educational Management initiative which provides courses to support female teachers who wish to move into administrative or management roles. The impact of the initiative is currently being examined, including

the number of participants who have been promoted to management positions, as part of a research project. In addition, the Gender Equality Unit in the Department of Education and Science is also funding a study of management culture in relation to Senior Appointments in Education. This project is looking at senior appointments in the first, second and third levels of the education sector, at senior appointments in the agencies under the auspices of the Department of Education and Science, and at senior management appointments in the Department itself. This project is expected to be completed in Autumn 2006.

All in all, I believe that the position of women and girls in the Irish education system is a credit both to the system and to the female students who so successfully exploit its potential. I also believe that we cannot be complacent about that success and that we must continue to address those remaining deficits that I have mentioned.

Decision-Making

Women are clearly making a major contribution in all spheres of Irish life, including decision-making. While there is still a lot of work to be done, women are increasingly visible in decision-making fora. As the Committee will be aware, our President is Mary McAleese, whose predecessor was Mary Robinson, who went on to become the UN High Commissioner for Human Rights. Our Tánaiste (Deputy Prime Minister) is a woman, as are three members of the Cabinet. Three of the eight Supreme Court Judges are women and the first female President of the District Court, Judge Miriam Malone, was appointed in May. The President of the Law Reform Commission and the Ombudsman are women, as is the Refugee Applications Commissioner, Bernice O'Neill. The percentage of women on State Boards and Committees has increased from 15% in 1992 to 32% today. The Government recently decided that from now on, nominating bodies must nominate both women and men to vacancies and the Government will choose from among nominees so as to ensure that the 40% target is met. This Decision has in my view, the capacity to transform the picture and ensure that we finally reach our target. Within the Civil Service, the targets set for women in the key Assistant Principal grade have been met, and a new Strategy will be developed later this year. We now have four women at Secretary General level in the Civil Service and a number of the heads of State agencies are women. While acknowledging the progress that has been made, the Government is

acutely aware of the many areas of public and private sector decision-making where women's representation is still significantly below what is desirable. In political life, in the most recent local elections in 2004, 19% of those elected were women, up from 15% in 1999, while in the Elections to the European Parliament held on the same day, 38% of those elected were women. Although some progress is being made, the pace is slow, and in relation to the national parliament where just 13% of the Deputies are women, more needs to be done. It is ironic that although there are significant numbers of women involved in politics in Ireland, including at influential levels within Party structures, this has yet to be reflected in electoral politics.

Madam Chair, your Committee's comments in relation to women in politics in Ireland, delivered at the last examination in 1999 were given very serious consideration by the Government. As a result, we decided to introduce a specific strand of the Equality for Women Measure, devoted to the issue of women in political life. Under the Measure funding was provided to three political parties (Fianna Fáil, Fine Gael and Sinn Féin) to undertake projects to increase the number of women holding decision-making positions in these Parties and to increase the number of female electoral candidates and representatives. Parties have examined the barriers to female participation and have developed action plans to address those barriers. Given that these projects have just been completed it is too early to assess their impact, but I have been impressed by the quality of the commitment shown by the Parties to working to improve the position of women. Speaking for my own party, Fianna Fáil, I can assure the Committee that our Leader has taken a personal interest in the implementation of our Action Plan, which includes specific targets for female participation at all levels in the Party, and I am confident that it will show results in time.

Social Inclusion

The Government is acutely aware that despite the dramatic improvement in our economic fortunes, there are groups of people in Ireland who continue to experience poverty and social exclusion, and that women feature prominently among these groups.

The National Anti-Poverty Strategy, launched in 1997, sets out to reduce poverty and social exclusion. In 2002, following a broad consultation process, the Government launched a revised Strategy entitled “*Building an Inclusive Society*”. The revised Strategy was itself further developed in the second National Action Plan to combat poverty and social exclusion, produced in July 2003 as part of the EU Open Method of Co-ordination. The National Action Plan set a key global target of reducing the numbers of those who are “consistently poor” below 2%. It identifies key targets in the areas of income adequacy, employment and unemployment, education, health, housing and accommodation, urban poverty and rural disadvantage. The Strategy also provides an integrated focus for addressing the needs of specific groups who are considered to be particularly vulnerable to poverty including women, children, older people, Travellers, people with disabilities, migrants and members of ethnic minority groups.

With regard to women, the overall objective of the Strategy is to reduce and if possible eliminate consistent poverty for women in the period to 2007 and to improve access for women to appropriate health care, and education and employment, thus reducing the risk of poverty to women and their families. While the new EU Survey on Income and Living Conditions (EU-SILC) data on poverty recorded an increase in consistent poverty levels in Ireland between 2001 and 2003, it has been acknowledged that this is due to methodological differences between this survey and earlier surveys. In fact, in the period since 1997 there have been substantial real increases in the value of social welfare payments which have had the effect of moving many families out of consistent poverty.

It is also recognised that women, in both urban and rural areas, can experience particular problems arising from poverty and marginalisation and that women's groups and community groups have an important role to play in tackling these problems. Particular emphasis is placed in the various grants schemes operated by Departments on support for community-based initiatives targeted at disadvantaged women. Schemes of particular relevance in this regard are the Community Development Programme, the Family and Community Services Resource Centre Programme, and the Scheme of Grants for Locally-Based Community and Family Support Groups.

I would like to briefly touch on the particular challenges faced by specific groups of vulnerable women.

Lone Parents

The main route out of poverty for lone parent families is employment and better jobs and the Government is focused on removing obstacles to employment in respect of this vulnerable group. The One-Parent Family Payment Scheme is designed to provide income support to parents, generally women, with insufficient means who have to parent alone. One of the objectives of the scheme is to encourage and facilitate lone parents to consider employment as an alternative to welfare dependency while at the same time supporting them to remain in the home, if they so wish. The earnings disregard under the scheme is designed to remove, in part, the obstacles to employment. Up to 60% of recipients of the One-Parent Family Payment are in employment and availing of the disregard.

Ending child poverty is one of ten special initiatives under the current social partnership agreement 'Sustaining Progress'. One of the key tasks in this initiative is to address obstacles to employment for many lone parents. This group is also disadvantaged by low levels of educational achievement. A Steering Group chaired by the Taoiseach's (Prime Minister) Department and involving representatives of the Departments of Finance and Social and Family Affairs is examining how income supports, employment, education and childcare, impact on employment opportunities and family circumstances. This review will shortly be completed and will contribute to concrete proposals designed to better support and encourage lone parents in achieving a better standard of living and a better future for themselves and their children.

Traveller Women

Travellers, as a group, are particularly affected by poverty. Traveller women have a higher mortality rate, lower life expectancy, and stillbirth and infant mortality rates almost three times that of the population of Ireland as a whole. This pattern of ill health is compounded by high rates of illiteracy, poor living conditions and heavy domestic responsibilities.

Under the National Anti-Poverty Strategy, the overall objective is to improve the life experience of Travellers through the provision of appropriate education, health and housing services and to remove any remaining barriers to the full participation of members of the Traveller community in the economic and social life of the country.

My Department has a key role in monitoring the implementation of the recommendations of the Task Force Report on the Traveller Community. While important administrative and legislative measures have been put in place to progress the implementation of these recommendations, much work remains to be done. I am particularly aware of the position of Traveller women in our society and the need to address fully the recommendations particularly where they are concerned. I am personally committed to ensuring tangible progress is achieved in improving the quality of life of Travellers generally and Traveller woman in particular. I have also been asked by our Taoiseach (Prime Minister) to take responsibility for overseeing Traveller policy and I am actively engaged in pursuing a range of initiatives to improve outcomes. In this regard, my Department has established a High Level Group on Traveller Issues which comprises senior policymakers from the key Government Departments and statutory agencies with responsibility for the delivery of services to the Traveller community, with the express remit of exploring best practice in practical service delivery in the short term and working towards eliminating the social exclusion which Travellers experience.

I can assure the Committee that I am fully committed to improving the daily lives of Traveller women, women who in the face of considerable disadvantage, make a huge contribution to their communities. I am working to deliver on commitments we have made to Travellers and to ensuring that they take account of the particular needs of Traveller women. I want to acknowledge Pavee Point's presence at this meeting and to express my appreciation to them for their contribution to Ireland's reporting to CEDAW through the submission of their Shadow Report.

Women with Disabilities

Women with disabilities are another group who will greatly benefit from recent developments. The National Disability Strategy, launched in September 2004, builds

on existing policy and legislation, including anti-discrimination legislation, and the Education for Persons with Special Educational Needs Act 2004. The key element of the Strategy is the Disability Act 2005 which is designed to support the provision of disability specific services to people with disabilities and to improve access to mainstream public services for people with disabilities. The Act provides an individual right to an independent assessment of health and personal social services needs, to a related Service Statement outlining services to be delivered, and to independent redress and enforcement. The Comhairle (Amendment) Bill 2004 further strengthens the role of the statutory agency Comhairle to provide personal advocacy services to vulnerable adults and children, as they seek to access both disability-specific and mainstream services. Six major Government Departments are required to produce sectoral plans under the Disability Act. These plans will set out the disability related services and positive action measures that each of these Departments is committed to implementing. And finally, the Government has given a clear commitment to a five year multi-annual Investment Programme which provides additional funding of over €1bn over the period 2005-2006 for high priority disability services.

Health

Since the publication of the National Plan for Women's Health in 1997, significant developments have taken place to integrate a gender dimension into the health service and to make it responsive to the particular health needs of women.

BreastCheck, the National Breast Screening Programme commenced in March 2000 with phase one of the Programme covering the Eastern, Midland and North Eastern Health Board areas. Screening is being offered free of charge to all women in those areas in the target age group of 50 to 64. The target population consists of approximately 136,000 women and it represents about 50% of the national target population. BreastCheck reported a 40% increase in the number of women invited for breast screening in 2003, with over 70,000 women invited compared to 50,000 in 2002. Cumulatively, from the commencement of screening in February 2000 to the end of 2003, BreastCheck has carried out approximately 133,200 screenings and detected approximately 1,040 cancers. BreastCheck began the first part of its

nationwide rollout in March 2004 and it is envisaged that there will be full national coverage by 2007.

Phase One of the National Cervical Screening Programme is operational in the Mid-Western Health Board since October, 2000. Under the programme, women in the 25-60 age group are being screened at 5 yearly intervals free of charge. The new Health Strategy provides a commitment to extend the programme to the rest of the country.

While I am aware that there has been criticism of the pace at which these very important services are being rolled out, I can assure the Committee of the Government's commitment to provision of these services throughout Ireland in line with the timetables we have set out.

The issues of family planning and crisis pregnancy are ones that acutely affect the lives of women. I am pleased to say that additional funding has been provided for the development of family planning and pregnancy counselling services in recent years. Family planning services are available free of charge from general practitioners to holders of a means tested card for free general medical services. Family planning services for non-card holders can be accessed through a variety of means, including GP services, student health clinics, Well-Woman Centres and Irish Family Planning Association Centres.

The Government set up the Crisis Pregnancy Agency in 2001. The Agency is a planning and co-ordinating body established to formulate and implement a strategy to address crisis pregnancy in Ireland. The Agency has developed a Strategy which focuses on reducing the number of crisis pregnancies by the provision of education, advice, and contraceptive services, and reducing the number of women with crisis pregnancies who opt for abortion by offering services and supports which make other options more attractive. The Strategy also provides for counselling and medical services after crisis pregnancy.

In its relatively short life to date, the Agency has made a major impact and its work is widely recognised for the contribution it has made in this area.

Before leaving this subject, I should refer to the issue of abortion, regarding which the Committee made a recommendation on the occasion of our last examination. That recommendation called for a national dialogue on the issue. There can be few issues on which there has been greater national dialogue in Ireland than this one. As the Committee knows the current Constitutional position was established by a referendum in 1983 and amended in 1992. All told, Ireland has held five separate referenda on three separate occasions on the issue of abortion. The Government has no plans to put further proposals in this regard to the people at this time.

Violence against Women

Violence against Women in all its forms is an abuse of Women's Human Rights and as such, the Irish Government attaches great importance to its elimination. While acknowledging that violence against women remains a significant issue on our agenda, we have taken a number of measures which are outlined in our Reports to address the problem.

The National Steering Committee on Violence against Women, which I personally chair, was established in December, 1997. The aim of the Committee is to foster inter-agency co-operation, to raise awareness about the issue, to conduct research into the various aspects of violence against women and to follow up on progress on the recommendations made in the Report of the Task Force on Violence against Women. Regional Committees on Violence against Women have also been established in each of the ten health board regions. These committees are involved in the assessment of existing services in their respective regions and the drawing up of local strategies and implementation plans.

I am pleased to say that a Strategic Plan to guide the work of the Committee over the next five years will be completed before the end of this year. That Plan will identify and prioritise action to be taken in relation to Violence against Women.

As the Committee will know, Ireland has enacted strong legislation to deal with domestic violence, rape and sexual assault and most other forms of violence against women. This legislation clearly defines acts of violence against women, such as domestic violence, rape, sexual assault, stalking/harassment and other forms of

violence against women, as criminal acts. However, the Government accepts that for legislation to be effective, it must be enforced and complemented with supports to victims of violence to encourage them to report crimes and to avail of practical supports.

I would like to pay tribute here to the many organisations that provide support to women who are victims of violence, including rape and sexual assault. Women's Aid, which has produced a Shadow Report for your Committee, and which is represented here today, provides an excellent service to victims of violence as well as advocating for improvements in our systems. The Rape Crisis Network and the Rape Crisis Centres throughout Ireland also deserve mention for the valuable service they provide to victims of sexual violence at a time when such victims are most in need of help and support.

In relation to rape and sexual assault, the Department of Justice, Equality and Law Reform has provided funding for comprehensive research into attrition rates in rape cases in Ireland. The research, which is entitled "The Understanding of Attrition, Early Withdrawal, the Trial Process and Identifying Possible Changes to Support Complainants in Rape Cases", is being carried out by the Department of Law at the National University of Ireland Galway and the Rape Crisis Network Ireland. The research will take three years to complete. This research should provide a greater understanding as to why some victims choose not to report cases to the Gardaí – Ireland's National Police Service, what can be done about under-reporting and why, of the cases that are reported, only a relatively small percentage result in a court hearing.

Violence against Women is often a hidden crime and one of the responsibilities of my Department is to raise public awareness, both of the issue and of the supports in place for victims. Earlier this year, my Department and the National Steering Committee on Violence against Women ran an advertising campaign on RTE, the State Broadcaster, which graphically illustrated the hurt caused by domestic violence. The number of calls to the Women's Aid Helpline during the period of that campaign – over 1000 extra calls, a 64% increase on the same period in 2004 – shows that there is still a huge need for support for women in these situations.

It is essential that awareness raising campaigns such as these continue to be undertaken and both my Department and the National Steering Committee are working on the development of a new awareness strategy. The intention is to move from planning awareness initiatives on an annual basis to a more overarching strategy for the next few years.

Details on the specific supports provided to victims of violence are included in our Reports, so I have not, given the time available gone into detail on them here. Suffice it to say once more, violence against women is a heinous crime that requires an integrated policy response including support for victims and the prosecution of perpetrators. The Irish Government will continue to take the measures necessary to eliminate this scourge from our society.

Human rights of women

Human rights are an essential prerequisite for gender equality and I am glad to be able to point to very significant developments in Ireland on this issue. Since our last examination, the Human Rights Commission has been established, with 15 members, at least 7 of whom must be women by law. The establishment of the Commission assumes even greater significance in the context of the Government's decision to bring forward legislation to give effect to the provisions of the European Convention on Human Rights.

An important strengthening of the CEDAW Convention in Ireland in relation to human rights was the ratification by Ireland of the Optional protocol to the Convention on 7 September 2000. Ireland is committed to the active promotion of universal human rights standards, and opposes and seeks the elimination of practices such as trafficking of women for prostitution. Ireland is opposed to all acts and practices which degrade or exploit women.

To this end, the Illegal Immigrants (Trafficking) Act 2000 creates the offence of trafficking in illegal immigrants, and Ireland, along with all other EU member states, has signed the UN Convention on Transnational Organised Crime and its two accompanying protocols. Ireland's main focus is on the prevention of trafficking in

human beings for sexual and labour exploitation. Further legislation is at present being prepared which will provide for compliance with the EU Framework Decision on combating trafficking in human beings for the purpose of their sexual and labour exploitation and the Framework Decision on combating the sexual exploitation of children and child pornography.

The Government is also very conscious of the need to address exploitation of women through prostitution and to complement legislation by providing supports and assistance to women as victims of prostitution. Funding, including under the Equality for Women Measure, has in recent years been made available to organisations working with women in prostitution.

Immigration

I remarked earlier on the transformation of Ireland from a country of emigration to one of immigration. Among the immigrants to Ireland are people who are asylum seekers claiming refugee status, as well as the many people coming to take up employment. There is no doubt but that in some respects our systems took time to adjust to the new situation, but I am satisfied that we now have an immigration and asylum system that conforms to best international standards. Ireland takes its responsibilities to those seeking asylum seriously and we are determined to ensure that genuine asylum seekers can avail of refuge in Ireland in accordance with international law. The changes contained in the Immigration Act, 2003 are aimed at ensuring that our asylum process is supported by a streamlined legislative framework to enable it to meet the dual challenge of providing protection speedily to those who require it, while at the same time dealing with the high level of applications which are found not to meet the definition of refugee in the Geneva Convention and the 1996 Refugee Act.

We are particularly conscious of the needs of women in the system and special measures have been taken to address their particular concerns. Asylum applications on grounds of gender-based persecution are provided for in current Irish refugee law. Where a woman applies for a declaration to be a refugee under the Refugee Act, 1996, it is the practice, where possible and appropriate, to assign a female interviewer and interpreter to her regarding her application to the Office of

the Refugee Applications Commissioner. This is particularly the case where a female applicant presents a claim which contains gender specific issues. If the matter reaches appeal, this practice continues in the Refugee Appeals Tribunal — where practical and possible, a female Member of the Tribunal is assigned to consider and decide the case. All staff working in the Offices of the Refugee Applications Commissioner and Refugee Appeals Tribunal complete appropriate training under the guidance of the UNHCR and are aware of the importance of treating all applicants for asylum with respect and sensitivity and with full awareness of cultural differences.

The increase in the number of immigrants in Ireland has raised concerns about the potential for racism to raise its ugly head. In 2000, the Irish Government approved a National Anti-Racism Awareness Programme. Know Racism was a 3-year public awareness programme to address racism and to promote a more inclusive intercultural society, aspects of which have been incorporated into the National Action Plan Against Racism 2005 -2008. The National Action Plan seeks to be inclusive of multiple forms of diversity and discrimination, with reference to the nine grounds covered by the equality legislation.

Finally, I should say in relation to immigration generally that Ireland values the contribution that migrants make to our country and the Government will do everything in its power to ensure that they enjoy the same rights as Irish citizens.

Equality Framework

I would now like to deal with the provisions of the Irish Constitution insofar as it relates to equality and in particular, equality between women and men. Article 40.1 of the Constitution provides that all citizens shall, as human beings, be held equal before the law. The Review Group on the Constitution, which reported in 1996, recommended that Article 40.1 be amended to explicitly prohibit discrimination against a person on any grounds including gender. The All Party Oireachtas (Houses of Parliament) Committee on the Constitution is now studying the fundamental rights provisions of the Constitution and in due course it will study the provisions of Article 40.1 and make recommendations to Government. I am very aware that other provisions in our Constitution need to be looked at, in order to more accurately reflect

the reality of social and economic changes in Ireland in recent years and Article 41 which deals with the family and the position of women comes to mind in this context. The All Party Oireachtas Committee will be considering this issue in the light of submissions and oral hearings arising from a public consultation on the family held earlier this year. I look forward to the Committee's deliberations and recommendations on this and other Articles in due course. Notwithstanding the widely acknowledged need to rephrase the Constitution to better reflect the reality of modern Ireland, I am satisfied that the combination of the Constitution's explicit affirmation of the equality of all citizens, and the introduction of far reaching equality legislation in the form of the Employment Equality Act 1998 and the Equal Status Act 2000, together represent a corpus of legislation that underscores equality between women and men in Ireland. It is also worth mentioning that the provisions of the Treaty of Rome, as amended, in relation to gender equality have force of law in Ireland, and any breach of those provisions can be addressed in our national courts and tribunals and ultimately to the European Court of Justice.

Ireland has adopted what I call a three-pronged approach to gender equality. We have legislation, gender mainstreaming and positive action. As the Committee will be aware, Irish anti-discrimination legislation outlaws discrimination across nine grounds: gender, marital status, family status, race, religion, sexual orientation, age, disability and membership of the Traveller Community. The Employment Equality Act deals with employment and training, while the Equal Status Act deals with equality in the supply of goods and services. The Equality Authority has responsibility for the promotion of equality and the Equality Tribunal adjudicates on cases of alleged discrimination and its rulings are binding and may only be appealed to the High Court on a point of law.

Gender Mainstreaming is still a relatively new development in Ireland. In 1999, the Government decided that the majority of the measures contained in the National Development Plan 2000-2006 would be subject to the gender mainstreaming process. A Unit was established in my Department to provide support, advice and training to other Government Departments and Agencies in relation to their efforts to gender mainstream. A second Unit was established in the Department of Education and Science with the specific remit in relation to education. I am satisfied that the

foundations are now in place to allow us over the next number of years to build on this infrastructure to move gender mainstreaming into other areas of public policy. The third prong, positive action, is a very important element of our approach, and one which we have developed following your Committee's recommendations in 1999. Under the National Development Plan, we developed the Equality for Women Measure, under which €35 million has been allocated to a number of strands of activity. Under Phase I of the Measure, which is nearing completion, 70 individual projects aimed at improving the economic, social, cultural and political lives of women were funded. Phase II of the Measure, which was launched in Autumn 2004, is funding 58 projects located in economically disadvantaged urban areas. The Measure has supported a scheme run by the Equality Authority which is equality proofing employment policies in organisations, as well as research on women returning to employment and training, and women entrepreneurs. To date over 7,000 women have directly benefited through participation in training courses and other activities provided under the Measure. I should say that an important feature of the Measure is the requirement that learning developed under the Measure is mainstreamed into policy. My Department is currently developing a mainstreaming approach designed to capture the very rich learning from Phase I of the Measure.

Finally in relation to the equality infrastructure, I am only too well aware that policy making in the area of equality, in common with many other areas, has historically suffered from a lack of data. The NDP Gender Equality Unit which I mentioned earlier, has done considerable work with Government Departments in advancing the development of gender disaggregated performance indicators and data to support the monitoring of progress. The Unit has published a booklet called "Women and Men in Ireland – Facts and Figures". More recently, our Central Statistics Office published a new gender report in December 2004 entitled "Women and Men in Ireland 2004" which was received very favourably both at home and abroad. This report will now be published annually. Furthermore, the Government is committed to the development of a framework for social and equality statistics and the development of a formal Data and Statistics Strategy in each Government Department, work on which has commenced.

Evidence-based policy making must become the norm and insofar as the area of equality is concerned, I am personally committed to ensuring that the data needed to plan, implement, monitor and evaluate policy is available.

Reservations to CEDAW

It would be remiss of me to complete this Statement without referring to Ireland's outstanding reservations under CEDAW, of which there are now three, none of which is incompatible with the object and purpose of the Convention.

Ireland's reservations to CEDAW are kept under regular review and I can say that we have sought legal advice on the Article 11.1 reservation following the enactment of the Equality Act 2004. The position in summary is that the reservation on Article 11.1 is being retained because of very limited exclusions in the Employment Equality Act, 1998; and the reservations on Articles 13(a) and 16.1(d) and (f) are being maintained because of more favourable treatment of women in national legislation.

Conclusion

Before I end, I would like to draw the Committee's attention to the development of the National Women's Strategy which is currently underway. This Strategy was recommended by the Committee that was responsible for drafting the National Plan for Women which was submitted to the UN in 2002 in the context of the implementation of the Beijing Platform for Action. An Inter-Departmental Committee, some of whose members are with me here today, is drafting the Strategy, which will be published before the end of this year. A Consultation Group, consisting of the Social Partners and the National Women's Council of Ireland is being consulted on the Strategy as it is being developed. In addition, the Equality Authority is also being consulted on an on-going basis. This National Women's Strategy which will span the period 2006-2015, will cover all of the key issues concerning women in Ireland today. In each area covered by the Strategy, there will be performance indicators, actions, targets, and an identification of who is responsible for implementation of the particular action. It will be rooted in the real life experience of real women. Our vision is for a Strategy that will have a resonance with all the women of Ireland and I am confident based on the progress that has been made to date that the Strategy will realise that vision. I expect that when Ireland comes to write

future Reports under CEDAW, it will be drawing heavily on the implementation of the National Women's Strategy.

I just mentioned the Social Partners involvement in the development of the National Women's Strategy. Social Partnership is widely credited with playing a major part in the success of the Irish economy, and this is so. But social partnership has also contributed to the development of the equality agenda in Ireland. Employers, Unions, the Community and Voluntary Sector, the Farming organisations and the Government have worked together on major initiatives, to produce real tangible results for Irish society. Under the current agreement, Sustaining Progress, which expires in December, improvements in the National Minimum Wage, flat rate wage increases, and improvements in maternity, adoptive and parental leave have all been secured. This model of social solidarity has much to offer in advancing the position of women in Irish society and I look forward to the negotiations on a successor agreement which will build on the success achieved over 18 years of social partnership.

I cannot conclude without mentioning the contribution that NGOs make to the achievement of gender equality in Ireland and the value that the Government places on their work in general, and in today's context, particularly in relation to CEDAW. The Committee will be well aware that six shadow reports have been submitted in the context of this examination and while these Reports contain criticism of Government actions, or inaction, as the authors might say, they are an invaluable resource to us in our work. It is invidious to pick out one Report, but I would like to mention the Women's Human Rights Alliance Report in particular. My Department funded the Alliance under the Equality for Women Measure to produce its Report and I would like to commend those who worked on its preparation, particularly Noirín Clancy, who is a dedicated champion of women's human rights. The other Reports submitted by the Irish Council for Civil Liberties, the Human Rights Commission, Pavee Point, Women's Aid, and the Irish Family Planning Association are all excellent pieces of work and I congratulate their authors.

Finally, I would again like to thank the Committee for providing me with this opportunity to share with you how we in Ireland are working to ensure that the human rights of women, contained in CEDAW, are being vindicated in Ireland. I believe that

we have made significant progress since we last met, but as ever, there is always more that can be done. We are committed to making Ireland a place where women and men enjoy true equality. We value the input of your Committee in helping us to achieve this ambition, particularly this year, as we prepare our National Women's Strategy. We welcome advice from whatever quarter on how we can improve the position of women in Ireland.

I look forward to having a fruitful dialogue.

Thank you.