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EMERGING HUMAN RIGHTS ISSUES

**IHRC & LAW SOCIETY
ANNUAL HUMAN RIGHTS CONFERENCE, 20 NOVEMBER 2010**

WELCOME ADDRESS

**DR MAURICE MANNING, PRESIDENT,
IRISH HUMAN RIGHTS COMMISSION**

1. INTRODUCTION

Minister, distinguished guests, friends and colleagues I would like to welcome you all to the 8th Annual Human Rights Conference co-hosted by the Irish Human Rights Commission (IHRC) and the Law Society of Ireland.

We are particularly honoured this year to welcome as our keynote speaker Professor Michael O'Flaherty, a member of the Human Rights Committee and an important contributor to the advancement of many of the emerging human rights issues being discussed here today.

I would also like to welcome Minister Mary White who will give our opening address. Minister White has been a strong supporter of the Commission since her appointment and her presence here today reinforces that she is committed to progressing human rights in Ireland.

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We are also delighted to have Dr Lydia Foy here with us today as our guest speaker. Her quote in the brochure for this conference sums up very succinctly the bravery and tenacity of all people who put themselves to the fore in pursuing the vindication of their human rights and in so doing vindicate the rights of others.

2. AIM OF THE CONFERENCE

Human rights are not static. They evolve as society evolves with new issues emerging all the time. The aim of this conference is to explore issues which will impact on human rights in Ireland in the short, medium and long term. The IHRC and the Law Society have identified 5 areas for discussion at this year's conference. The topics are diverse and wide ranging including: lesbian, gay, bisexual and transgender (LGBT) rights; immigration & human trafficking; data protection & retention; business & human rights, and the environment & human rights. We hope that the discussions which will take place today will help to shed light on these emerging issues and to begin discussions among all of us on these important issues.

3. IHRC AND EMERGING HUMAN RIGHTS

The Irish Human Rights Commission works to promote and protect the human rights of everyone in Ireland. We are recognised by the United Nations as Ireland's national human rights institution. A strategic goal of the Commission is to address emerging challenges to human rights like those up for discussion and debate today.

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Important developments have been made in the recognition of Lesbian, Gay, Bisexual and Transgender Rights in Ireland in recent times. The Civil Partnership Act, 2010 is an important step in the recognition of same-sex couples, though the application and real impact of the law remains to be seen.

Since the ruling in the landmark case taken by Dr Lydia Foy, the Commission has been active in working to ensure the application of the judgement in practice and has provided its views to the Inter-departmental Advisory Group on Gender Recognition.

On the issue of immigration we have given an in-depth critique of draft legislation in the area. We have voiced our concerns about the treatment of people seeking asylum, the system of direct provision and the rights of migrant workers and their families to the UN Committee on the Convention on the Elimination of Racial Discrimination (CERD). We have also called for strong protections for victims of human trafficking.

Separate developments in the fields of communications and technology all have the potential to raise important considerations for individual security and privacy. We have seen this issue emerging more and more in recent years. The Commission has appeared as *amicus curiae* or 'friend of the court' in the Digital Rights Ireland case. We have also called for stringent safeguards in relation to conditions surrounding access to and storage of personal data such as DNA. Data retention must reflect key human rights principles and respect for individual privacy. It must also be 'future proofed' to ensure that it is robust enough to deal with issues which will undoubtedly arise from the impact of future technologies.

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The issue of human rights and the environment is a particularly interesting one in the context of this conference today. The right to development that is sustainable strengthens the link between human rights and environmental protection. According to Mary Robinson “the interdependence of human rights, environment protection and sustainable development has been described using the metaphor of a triangle: although sustainable development is the overarching goal, it cannot be achieved without also respecting human rights and protecting the environment.”¹ At the global, national and local levels this has implications for the way development is carried out.

Another topical and timely discussion which will take place today is an exploration of the responsibility of business to promote and protect human rights in its policies and practices. Greater attention should be given to human rights principles and standards including transparency and accountability as part of efforts to reform business practice and financial regulation. We will hear today about the developing framework for business and human rights and are delighted to welcome our good friend Professor Alan Miller from the Scottish Human Rights Commission who is a leading expert in this area, to speak on the topic.

4. CONCLUSION

The Irish Human Rights Commission and the Law Society of Ireland believe that the debate and discussion at the Conference on these emerging human rights

¹ Speech by Mary Robinson, UN High Commissioner for Human Rights at Civil Society Workshop on Human Rights, Sustainable Development and Environmental Protection, World Summit on Sustainable Development
Johannesburg, South Africa, 1 September 2002 p. 1

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issues will enhance and enrich understanding, and encourage consideration of
how human rights in these diverse areas can be promoted and protected.

The IHRC will continue through its work to actively promote and protect these
rights.

I look forward to hearing from all of the distinguished speakers who have kindly
agreed to lead us in our discussions today.

Thank you.