

## **The Galway Platform on Human Rights in Irish Foreign Policy**

We, the undersigned civil society organisations and university-based human rights centres and programmes, assembled at the Irish Centre for Human Rights, National University of Ireland, Galway, on 16 December 2013, hereby adopt the Galway Platform on Human Rights in Irish Foreign Policy. The Galway Platform constitutes a contribution to the current consultation on Irish Foreign Policy being undertaken by the Department of Foreign Affairs and Trade. The Galway Platform is without prejudice to any other submissions that may be made to the consultations by our organisations and institutions.

### Introduction.

1. We welcome the consultation on Irish Foreign Policy and the recognition in the consultation document that the protection of human rights is integral to Ireland's foreign policy. We consider that Ireland is presented with the opportunity to significantly enhance its capacity to promote and protect human rights worldwide as well as at home.
2. Building on the 1996 White Paper, the revised Irish Foreign Policy Paper, should include a dedicated and detailed section regarding human rights that identifies applicable principles and specific action points. The section should take account of the Galway Platform and other submissions that will be received.

### General principles.

3. The principal normative sources for Ireland's human rights foreign policy are the Universal Declaration of Human Rights and the range of United Nations and Council of Europe, European Union and other regional human rights treaties to which the State is a party, as authoritatively interpreted by the relevant international bodies, as well as those human rights "soft law" declarations, resolutions, and guidelines that the State has endorsed. Human rights standards in Irish constitutional law and national practice are also relevant.
4. In order to enhance the promotion and protection of human rights at home, as well as internationally, Ireland should work towards the ratification and implementation of all those international and European human rights instruments to which it is not yet a party. Priority attention should be given to ratification of the Convention on the Rights of Persons with Disabilities, the Optional Protocol to the Convention Against Torture, the European Charter for Regional or Minority languages, the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, the second and third Protocols to the Convention on the Rights of the Child, the International Labour Organisation Convention on Domestic Workers, the Optional Protocol to the Covenant on Economic, Social and

Cultural Rights, the Migrant Workers Convention and the Enforced Disappearances Convention.

5. Ireland should review its reservations to human rights treaties with a view towards their withdrawal.
6. Review of human rights in Irish foreign policy should take account of and ensure respect for existing human rights-related foreign policy commitments. These include the EU Strategic Framework and Action Plan on Human Rights and Democracy and Ireland's pledges entered into on the occasion of Ireland's election to the United Nations Human Rights Council.
7. Ireland's international human rights commitments include adherence to the Paris Principles. Accordingly, as a matter of human rights in foreign policy, Ireland should take the necessary action to ensure that the merged Human Rights and Equality Commission will meet the requirements for "A Status" compliance with the Principles.
8. The importance of human rights in Irish foreign policy requires that they impact and shape specific programmes and that they also serve as a mainstreamed set of standards that inform all aspects of the State's foreign and external actions. It would be unacceptable for the State to undertake any action that is inconsistent with the human rights standards by which it is held to account.
9. The promotion and protection of human rights in Irish foreign policy must be mirrored by domestic actions that are human rights-compliant. Respect for this principle requires the implementation of all international findings and recommendations relevant to the State as well as on-going monitoring of the domestic human rights situation by the State and by independent bodies. Ireland should also consider adopting a national human rights strategy and plan of action.
10. Human rights foreign policy should respect the indivisibility of human rights, in recognition of the equal status of economic, social, cultural, civil and political rights and of the need to promote and protect them in a manner that recognises their inter-dependence.
11. In order to respect the foundational human rights principles of universality and non-discrimination and acknowledging the intersectionality of human rights, the State's human rights policy and programming choices should always prioritise the protection of those who are rendered most vulnerable, marginalised and at-risk, particularly those who are subject to multiple forms of discrimination.
12. Human rights programming is for the purpose of the alleviation of the human rights situation of rights-holders, and must never be instrumentalised for any other purpose.
13. Respect for human rights requires that the protection and promotion of women's human rights is mainstreamed in Irish foreign policy.

14. Respect for human rights requires that all Irish foreign policy be subject to sustained proofing against the non-discrimination categories identified in international human rights law, as well as against its impact for the alleviation of extreme poverty and for the rights of the child.
15. Irish foreign policy should be developed and implemented in as transparent a manner as possible, including by means of a pro-active releasing into the public domain of relevant documentation, including evaluation reports and voting records in international bodies, as well as by the maintenance of frameworks of meaningful consultation with civil society (including in the process of policy development).

#### Multilateral action.

16. Respect for human rights in foreign policy requires that Ireland comply with its international reporting and procedural obligations. Ireland has the concomitant responsibility to raise awareness in Ireland of the operation of the international human rights protection system (including of European and United Nations monitoring bodies and special procedures).
17. Ireland should continue to show global leadership for the strengthening of the United Nations Treaty Body System. Ireland should further develop its leadership role on the basis of the Dublin Outcome Document (2011) and the report of the High Commissioner for Human Rights (2012). Irish leadership requires it to be a strong voice for the strengthening process in the United Nations General Assembly and among EU and WEOG States and Ireland should also invest further financial resources in the system.
18. Ireland's membership of the Human Rights Council is to be welcomed. At the Council, Ireland should continue to champion specific thematic and country issues, support the independent operation of Special Procedures, and engage vigorously in the Universal Periodic Review (UPR). Ireland's work at the Council should be complemented by raising awareness at home of the work of the Council, highlighting the importance of the UPR domestically and facilitating ease of public and civil society participation in the process.
19. Ireland should continue to support the office of the UN High Commissioner for Human Rights, strongly defend its operational independence from States, continue to provide it with funding and work to secure adequate UN regular budget funds for its activities.
20. Ireland should continue to support the deployment of United Nations peacekeepers, including civilian personnel with an appropriate human rights mandate, capacity and resources. Ireland should support measures to strengthen the accountability of all UN and associated personnel on peacekeeping missions.

21. Ireland should continue to support the work of the International Criminal Court, especially in reinforcing the principle of individual criminal responsibility, and contribute to ensuring that the necessary resources are made available for its activities.
22. Ireland should vigorously defend and seek to strengthen the Council of Europe's legal framework and infrastructure since these are of critical importance for the upholding of human rights, rule of law and democracy across the continent. Ireland should continue to support and contribute to Council of Europe human rights initiatives to ensure maximum effectiveness, including those led by the Commissioner for Human Rights. Ireland should raise domestic awareness of the various Council of Europe instruments and procedures and how to engage them.
23. Ireland should contribute to the process of strengthening the European Court of Human Rights, including for the purpose of effective follow up of judgements as well as to enhance its effectiveness and independence.
24. Ireland should continue to contribute to the development of human rights and conflict prevention policies of the OSCE and develop strong human rights-driven policies with Mediterranean and Asian partners and Australia.

#### Ireland in the European Union

25. Ireland should continue to vigorously contribute to the development and implementation of external human rights policies of the European Union in full compliance with and in pursuit of the objectives of the EU Strategic Framework and Action Plan on Human and Democracy.
26. Ireland should work to ensure that the EU external and internal policies and their implementation, including with regard to trade and migration, are fully compliant with human rights standards. Nothing in Ireland's membership of the EU should be permitted to impede the exercise of its individual responsibility for the protection of human rights.

#### Bilateral relations.

27. All Irish bilateral diplomatic posts should undertake human rights monitoring and internal reporting as a matter of course. In cases where the human rights situation so warrants, Ireland should use diplomatic tools of intervention for the protection of human rights.
28. Ireland should choose a number of countries for priority human rights attention over a given number of years, taking due account of the Irish Aid country list. With regard to these countries, Ireland should devise a country-specific human rights plan of action, with associated benchmark indicators. In the framework of such plans of action, Ireland should seek to deliver programmes of human rights capacity building,

in close consultation and cooperation, as appropriate, with the relevant governments and civil society.

29. Ireland should ensure that all aspects of its bilateral foreign policy are compatible with its human rights commitments. Furthermore, Ireland should seek to ensure that its human rights activities at the bilateral level are strategic as well as complementary to and mutually supportive of the human rights programming of the European Union, of other States and such other donor/human rights actors as the United Nations and civil society.

#### Northern Ireland.

30. As a guarantor of the Belfast (Good Friday) Agreement, Ireland should vigorously pursue implementation of its provisions and, in this regard it should intensify its efforts for the adoption of a Northern Ireland Bill of Rights and an island of Ireland Charter of Human Rights. Ireland should honour the provision of the Belfast (Good Friday) Agreement whereby it has committed itself to provide at least an equivalent level of human rights protection in the Republic as is the case in Northern Ireland.
31. Ireland should provide strong support to the Northern Ireland Human Rights Commission, established pursuant to the Belfast (Good Friday) Agreement, whereby its independence, resources and capacity are assured and it should provide appropriate support for the operation of the Joint Committee of the National Human Rights Institutions of the island of Ireland.
32. Ireland should promote the putting in place of a comprehensive framework of transitional justice for Northern Ireland that also takes into account the island of Ireland dimensions of dealing with the past.

#### Human rights and development.

33. While acknowledging the adoption of “One World, One Future”, Ireland should continue to put human rights at the heart of its development cooperation work. To deliver fully on this commitment, Ireland should explicitly adopt a Rights Based Approach to development and affirm that it will progressively move towards its full implementation.
34. As an expression of its commitment to a Rights Based Approach, Ireland should ensure that all development plans, policies and interventions respect and promote the principles of: participation, non-discrimination, equality (including gender equality), empowerment of those made vulnerable and marginalised and human rights accountability of state and non-state actors. Ireland should promote the right to development and the right to participate, as well as working for the full implementation of United Nations Security Council Resolution 1325 on Women, Peace and Security.

35. Ireland should commit to promoting respect, protection and fulfilment of International Humanitarian Law and Refugee Law and related commitments as part of a domestic and foreign policy which takes a whole of Government approach.

#### Human rights priority thematic issues.

34. Ireland has already identified specific human rights thematic priorities and these should be retained. These existing thematic priorities include: protection of civil society space, protection of human rights defenders, promotion of freedom of religion or belief, ensuring the right to food, ensuring gender equality, combating violence against women, non-discrimination (including on the grounds of sexual orientation and gender identity) and reducing child mortality.
35. In addition, there are other issues that lend themselves well to prioritisation by Ireland taking account of their importance as well as such considerations as Ireland's history, international profile, relative advantages and capacities.
36. In identifying new priority areas and enhancing work on existing ones, Ireland should pay due regard to general principles of paragraphs 3-15 of this Galway Platform. Furthermore, in identifying its priority areas, Ireland should take due account of those fundamental human rights-related cross cutting issues that it recognises internationally. Such issues should include but are not limited to: human rights and climate change, the persistence and impact of extreme poverty, the advent of the digital information era and human rights and business.
37. With regard to each of its priority themes, Ireland should develop a plan of action in consultation with all relevant stakeholders, especially affected rights holders, that contains appropriate benchmarks and indicators whereby the plan's implementation can be assessed.
38. Strategic human rights priorities for Ireland in foreign policy should also be reflected in its domestic practice.

#### Human rights capacity of the Department for Foreign Affairs and Trade.

39. Ireland should appoint an Ambassador At Large for Human Rights, as is the practice of an increasing number of countries in Europe and elsewhere.
40. The Human Rights Unit of the Department for Foreign Affairs and Trade serves a vital role and its accomplishments to date are appreciated. The unit should be retained and strengthened, including by the deployment to it of more personnel, to include additional human rights specialists.
41. An appropriate governmental level mechanism should be established, with appropriate due regard to the role of the Oireachtas, in order to ensure effective compliance with Ireland's human rights obligations and their implementation, including in foreign policy.

42. The DFAT should continue and enhance its programme of human rights training for relevant personnel. This should comprise two components – an introductory programme for delivery to staff generally and an intensive programme for staff who deal more directly with issues of human rights.
43. Ireland should increase its Irish Aid human rights capacity, taking account, inter alia, of the commitments enshrined in “One World, One Future”

#### The role of other human rights actors for human rights in foreign policy.

44. The promotion and protection of human rights, including in the context of the implementation of foreign policy, is a multi-level and multi-stakeholder matter. In the Irish context the stakeholders include the Human Rights and Equality Commission, civil society organisations, trade unions, the business sector, academics and the faith communities. The DFAT NGO Committee is acknowledged to be an important vehicle for dialogue between government and the stakeholders and appreciation is expressed for its sustained operation. The Committee should be reviewed with a view to ensuring it is adequately mandated with regard to awareness raising, consultation and advice for policy formation and implementation.
45. The DFT Annual NGO Forum is an important initiative that should be retained and strengthened.

#### Reviewing human rights in Irish foreign policy.

46. Irish foreign policy should be kept under continuous review. In this regard, each year DFAT should publish a report on the implementation of Ireland’s human rights foreign policy.
47. Ireland’s human rights policy should be reviewed no later than five years following its adoption. The review process should include discussion of the matter at the DFT Annual NGO Forum.

Signed:

Amnesty International Ireland

Centre for Criminal Justice and Human Rights at University College Cork

Centre for Disability Law & Policy at National University of Ireland, Galway

Children's Rights Alliance

Community Workers' Co-operative

Department of Applied Social Studies, National University of Ireland, Maynooth

Free Legal Advice Centres (FLAC)

Front Line Defenders

Gay & Lesbian Equality Network (GLEN)

Irish Centre for Human Rights, National University of Ireland, Galway

Irish Council for Civil Liberties

Irish Congress of Trade Unions

Irish Penal Reform Trust

Irish Refugee Council

Liberia Solidarity Group

National Assembly of the Baha'is of Ireland

National Women's Council of Ireland

Northern Ireland Human Rights Consortium

Pavee Point

Social Justice Ireland

Trocaire

University College Dublin, Human Rights Network

Women's Human rights Alliance