

Tánaiste Joan Burton TD,  
Department of Social Protection,  
Aras Mhic Dhiarmada,  
Store Street,  
Dublin 1.

## **Open letter to the Irish Government**

### **A call to accept the recommendation of the Constitutional Convention on Economic, Social and Cultural rights**

26 September 2014

Dear Tánaiste,

The Economic, Social and Cultural (ESC) Rights Initiative is a network of organisations and individuals with a shared belief that increased protection of ESC rights in Irish law would contribute to a more just, inclusive and equal society. The aim of the ESC Rights Initiative is to ensure that these rights, already committed to by Ireland through the ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1989, are rendered legally enforceable through Bunreacht na hÉireann.

On 31 March the Constitutional Convention recommended to the Government, by an overwhelming majority of 85%, that ESC rights be given enhanced protection in the Constitution. The ESC Rights Initiative welcomes this recommendation. The Government was due to respond to the recommendation by the end of July. Disappointingly and in breach of the Conventions' terms of reference, we now understand that this response will not be given until the autumn.

#### **The ESC Rights Initiative calls on the Government to accept the Constitutional Convention's recommendation.**

The recommendation has presented Ireland with a unique opportunity to take a significant step towards fulfilling its international human rights obligations and to ensure that all human rights, civil and political as well as economic, social and cultural, are granted equal protection by the Constitution. It would also ensure that Ireland keeps pace with the growing international trend towards according constitutional protection to these fundamental human rights.

If further examination of this issue is deemed necessary, for example through the establishment of a working group to consider the implications of constitutional incorporation of these rights and to formulate the appropriate wording for a referendum bill, we urge that such a process be quickly put in place. We urge that any such further examination process should:

- Be open and transparent;
- Draw on internal analysis of relevant Departments, as well as external expertise, including from civil society organisations;
- Have clear and public terms of reference;
- Have an expeditious and defined timeframe for reporting;
- Be mandated to make public its findings and reasoning.

We would like to meet with you to discuss further the recommendation of the Constitutional Convention, to arrange this meeting and/or should you require any further information on the work of the ESC Rights Initiative, please do not hesitate to make contact with Niamh Kinane on 01 863 8339, or at [nkinane@amnesty.ie](mailto:nkinane@amnesty.ie).

**Yours sincerely, Aiden Lloyd, Chairperson, ESC Rights Initiative.**

# A call for the Government to accept the recommendation of the Constitutional Convention that economic, social and cultural rights be given enhanced protection in the Constitution

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An open letter to the Taoiseach made by the following:

## Organisations:

Amnesty International Ireland  
FLAC  
National Women's Council of Ireland  
Irish Council for Civil Liberties  
Focus Ireland  
TASC  
Children's Rights Alliance  
Irish Heart Foundation  
Immigrant Council of Ireland  
Equality and Rights Alliance  
Mercy Law Resource Centre  
Age Action  
Pavee Point  
Irish National Organisation for the Unemployed  
Community Law and Mediation  
Disability Federation of Ireland  
Marriage Equality  
European Anti-Poverty Network  
All Together in Dignity Ireland  
Longford Community Resources Ltd.  
Atheist Ireland  
South Dublin Community Platform





**Individuals:**

Robert Aiden Lloyd  
Oisín Bourke

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For further information please contact:

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Amnesty International Ireland,  
nkinane@amnesty.ie or 01 863 8339