

## Questionnaire

### Measures against intimidation and reprisals

#### Ireland's Response

April 2019

**a) What is the legal and policy framework at the national level to ensure the right to participation at the international level, including unhindered access to and communication with international bodies, in particular the UN?**

Addressing the issue of reprisals is a policy priority for Ireland in international fora, particularly the United Nations.

The United Nations has been a cornerstone of Ireland's global engagement since 1955. An effective, rules-based multilateral order is essential to the global promotion and protection of human rights and Ireland is resolutely committed to engaging in all relevant multilateral fora, be they regional or international, to advance the cause of human rights.

Civil society and human rights defenders play a vital role in advancing human rights. Ireland is deeply concerned by reprisals and acts of intimidation and reprisal that seek to discourage civil society and human rights defenders from engaging with international human rights bodies, representatives and mechanisms.

**b) What measures have been taken by your Government at the national level to ensure national investigations and accountability on allegations of intimidation and reprisals?**

The Irish Government has taken a number of measures at national level to ensure that investigations and accountability on allegations of intimidation and reprisals. One such example is the Protected Disclosures Act 2014, which provides comprehensive protections for workers who speak up about wrongdoing in the workplace. Workers are protected from all forms of penalisation or threats of penalisation – including dismissal, demotion, suspension, reduction in pay, coercion, intimidation and harassment – as a consequence of making a disclosure of wrongdoing in the workplace. Disclosures can be made to the worker's employer or to a designated competent authority (usually a sectoral regulator). Public disclosures (e.g. on social media, to a journalist or a public representative etc.) are also protected in certain circumstances. Workers can access these protections via the national workplace relations mechanisms (i.e. the Workplace Relations Commission and the Labour Court).

**c) How has your Government contributed to initiatives at the international or regional levels to encourage the prevention of acts of intimidation and reprisals?**

Ireland is profoundly concerned by ongoing reports of reprisals and acts of intimidation targeting individuals seeking to engage with UN human rights bodies and mechanisms, as well as attacks targeting their families, their organisations and any other person linked to them.

Addressing these allegations, is therefore a key policy priority for Ireland, and we seek every opportunity to highlight these issues when we can through national interventions and Joint Statements.

Ireland is in the core group of countries leading on the reprisals initiative at the Human Rights Council, and we were particularly pleased by the outcome of the HRC36 negotiations. This has ensured an annual interactive dialogue on the issue of reprisals at the Council's September Session, as well as acknowledging the important role played by the HRC bureau in addressing this issues. More generally, at the HRC and at the UN in New York we continue to push for the inclusion of relevant text on reprisals in other thematic and country-specific initiatives.

Complementary to this, is the lead role that Ireland plays on the civil society space initiative at the HRC in Geneva. In 2013 the HRC addressed this issue for the first time as a human rights concern, calling on states to create and maintain, in law and practice, a safe and enabling environment for civil society. In addition, we also remain strong and unequivocal supporters of the work of human rights defenders.

**d) How has your Government provided assistance to members of civil society for their cooperation with the UN? Have any measures been taken to improve the security and safety of those who cooperate with regional and international organisations?**

Ireland has contributed to Civil Society Funds across the globe through the Irish Aid programme. We also actively support the participation of civil society in UN meetings and facilitate this wherever possible, for example through the inclusion of civil society representatives in official delegations to UN meetings such as the CSW.

Ireland uses the UPR process to raise the issue of intimidation and reprisals and remains particularly troubled by reports of reprisals against civil society representatives seeking to engage in recent sessions of the UPR, as well as in the pre-sessions organised by UPR Info.