



Hanna's House

**Response on the Proposed Merger of
The Irish Human Rights Commission and
The Equality Authority**

November 2011

HANNA'S HOUSE

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Hanna's House is a cross border feminist peace initiative, established in 1999, involving individuals and representatives of women's organisations in the north and south of Ireland. Hanna's House mission is to mobilise the collective energy of women throughout Ireland to work towards feminist ideals of justice, equality and non-violence. Currently, Hanna's House is engaged in developing an all Ireland strategic alliance of feminists, to influence and contribute to future peace building policy and practice on the island.

Hanna's House urges the government to ensure that the relationship between the human rights and equality Commissions north and south is maintained and strengthened. It is imperative that the new human rights and equality body is resourced and mandated adequately in order to carry on the work flowing from the terms of the Good Friday Agreement.

The Good Friday Agreement provided for a joint committee of the two Human Rights Commissions to consider the development of a charter of rights for the island of Ireland: *'there will be a joint committee of representatives of the two Human Rights Commissions, North and South'*, which *'will consider, among other matters, the possibility of establishing a charter, open to signature by all democratic political parties, reflecting and endorsing agreed measures for the protection of the fundamental rights of everyone living in the island of Ireland'*. While the two Commissions completed a draft of the elements to be contained in the charter, there is still much work to be done. We therefore welcome the establishment by the current government, of the Joint Committee on the Implementation of the Good Friday Agreement 2011 – 2016. We welcome the government commitment to the UN Paris Principles, which requires the Human Rights Commissions be appropriately mandated and financially secure so that they are enabled to conduct their work effectively. If the government is to live up to its commitments under the Good Friday Agreement, an internationally recognised agreement, then they must ensure these institutions are protected.

The Good Friday Agreement also requires an equivalence of rights in Northern Ireland and Ireland. In October of 2010 the Joint Committee issued a statement calling

on both Governments to ensure the principle of equivalence as set out in the Agreement. One area of legislative reform required in this regard is the introduction of positive duties for public authorities such as exists in Northern Ireland¹. Since 1998 equality legislation in Northern Ireland requires designated public sector organisations to have due regard to equality in carrying out their functions. The absence of a similar positive duty in Ireland places us in breach of this international treaty. The commitment in the Programme for Government 2011 to *'require all public bodies to take due note of equality and human rights in carrying out their functions'* offers an opportunity to enhance the requirement of equivalence of protection through the introduction of a positive duty for public sector organisations.

We would further urge the Government to ensure that the recommendation of the Convention on the Elimination of All Forms of Discrimination against Women are included in the terms of reference of the new Equality and Human Rights Commission, and in particular that the Commission is made up of a balanced number of women and men, as stated in the Concluding Comments of the CEDAW Committee (2005).

From an organizational development perspective, Hanna's House recognises the challenge involved in merging two organisations of different sizes and with distinctly different cultures. We would urge the government to allow sufficient time and attention to ensuring that one organisation is not submerged or taken over by the other.

The Hanna's House Board

Margaret Ward (Chairperson), Claire Hackett, Ann Hope, Linda Kelly, Joanna McMinn, Catherine O'Rourke, and Emma Rogan.

¹ Section 75 of the Northern Ireland Act 1998