

# EQUALITY & HUMAN RIGHTS AN INTEGRATED APPROACH

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# Equality & Human Rights Infrastructure

- Irish Human Rights and Equality Commission
- Civil society
  - Trade unions, community organisations, human rights monitors
  - Fragmented communities of expertise
- Government Departments
  - Department of Justice and Equality, Department of Foreign Affairs and Trade
- Oireachtas Committee on Justice, Defence & Equality
  - Lack of responsibility for human rights

# Two Traditions

<b>EQUALITY</b>	<b>HUMAN RIGHTS</b>
Activism	Watchdog
Groups	Individuals
National & European Law	International instruments
A wide range of stakeholders	Duty bearers and duty holders
A political ambition	An international standard

# Potential in Integration

- Strengthen the voice and influence for change of the infrastructure
- Move beyond limitations in equality legislation of defined grounds and comparator requirement
- Achieve a more comprehensive and effective approach to protecting and fulfilling human rights
- Secure a simplicity of access for those whose rights have been violated

# Pitfalls in Integration

- Contest for resources and attention between equality and human rights
- Domination by one tradition or the other in the approach developed or the agenda pursued
- Loss of specific expertise in equality or human rights
- Loss of visibility for one tradition or the other or both

# Making Links

Equality and non-discrimination are an integral part of the wider framework of human rights

But:

- Equality limited to equal treatment and non-discrimination rather than a substantive view of equality
- Equality as outcomes in the distribution of resources, recognition, representation and respect in society

# Making Links

Members of groups experiencing inequality are likely to have their human rights violated

But:

- Human rights led rather than some parity between human rights and equality
- Ensure a standard of treatment rather than achieve full equality in practice

# An Integrated Approach

- Set goals that integrate equality and human rights
  - What is the societal change being sought?
- Establish values that integrate equality and human rights
  - What values need to have traction in society?
- Identify practice sites to integrate equality and human rights
  - Where to build an integrated practice?



# Three Levels

- **Integrated**
  - The dominant level
  - An active force for change
- **Intersecting Concerns**
  - An equality perspective on a human rights issue
  - A human rights perspective on an equality issue
- **Specific Focus**
  - Urgency of the issue
  - Opportunity to make progress on the issue
  - Distinct nature of the issue

# Goals for Integration

- A flourishing society where people and communities have the capabilities to achieve their full potential and live lives they have reason to value
- Working Group: What has the Commission put in place to allow each person to flourish with the greatest degree of freedom without impinging on the dignity and work of any other individual

# Goals for Integration

- What capabilities to focus on?
  - Parity for equality and human rights
- Whose capabilities to focus on?
  - Individuals and groups
- Societal capabilities
  - Redistribution of power, resources, recognition, respect
  - Remodel society and the economy to live within the limits of our ecosystem
  - Remodel governance and decision-making systems

# Values for Integration

- Values of equality and human rights do not enjoy much traction in society
- Identify a set of shared values between equality and human rights
- Apply these values in monitoring and shaping policy and practice
- Communicate these values and build popular commitment to these values

# Values for Integration

- Freedom: exercise genuine choice
- Equality: respect worth of all, celebrate identities, break cycle of disadvantage, facilitate full participation
- Dignity: values relationships that ensure dignity and facilitate responsibility and caring
- Solidarity: individual embedded in society
- Democracy: equal participation in decision making

# Practice Sites for Integration

- Public sector duty to have regard to human rights and equality
  - Requirement to assess human rights and equality issues
  - Need to set out the policies, plans and actions to address those issues
  - Public bodies as policy makers, employers, service providers, and procurers of goods and services

# Practice Sites for Integration

- Private sector practice
  - Decent Work agenda developed by the ILO
  - Planned and systematic approaches to equality developed by the Equality Authority
  - UN 'Ruggie' Framework on human rights and business
- A focus on employment, production, customer service, procurement and supplier chains

# Practice Sites for Integration

- Community based approaches
  - Community development practice
  - Human rights based approaches
- Equality and human rights based approach at community level
  - Identify collective interests and rights
  - Empower to articulate interests and exercise rights
  - Hold Government and public bodies to account



# Implications for Infrastructure

- Develop an agenda of goals and values for societal change
- Establish institutions and public spaces to pursue an integrated equality and human rights agenda
- Build knowledge and experience base on the practice of integrating equality and human rights – a new community of expertise

# Implications for Infrastructure

- Develop innovative actions to promote popular commitment to a set of values that integrate equality and human rights
- Develop initiatives to advance the public sector duty, the decent work agenda in the private sector, and equality and human rights based approaches at community level
- Make effective and appropriate links across the equality and human rights infrastructure