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**Committee on the Elimination of Discrimination  
against Women**

**Pre-session working group for the thirty-third session**  
5-22 July 2005

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**List of issues and questions with regard to the consideration  
of periodic reports**

**Ireland**

**Introduction**

The pre-session working group examined the combined fourth and fifth periodic report of Ireland (CEDAW/C/IRL/4-5).

**Constitution, legislation and national machinery for the advancement of women**

1. Please provide information on the process of preparing the combined fourth and fifth periodic report. That information should indicate which government departments were involved and the nature and the extent of their participation, whether consultations were held with non-governmental organizations and whether the report was presented to Parliament.
2. The report notes that in 1996, the review group on the Constitution recommended the amendment of article 40.1, which does not explicitly include the principle of equality between women and men and does not explicitly prohibit discrimination on the basis of sex. The report also notes that the All-Party Oireachtas Committee is addressing itself to articles dealing with fundamental rights, including equality. The Government also enacted the Equal Status Act 2000. Please indicate what the situation is in regard to constitutional review in that area and how that Act, together with other legislation, protects women from discrimination within the full meaning of "discrimination against women" as set out in article 1 of the Convention.
3. The report describes remedies and institutional mechanisms (paras. 2.3, 2.4, 11.5.6 and 11.5.7) available to women for complaints of unlawful discrimination. Please provide information about complaints, including areas other than regarding labour employment matters, and about whether the Convention has been invoked in any court cases.

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4. The report notes that a commitment has been undertaken to “develop a framework for social and equality statistics” (para. 3.6.3). Please describe the present status of implementation of that commitment and its results in regard to the establishment of a better basis for policy makers to put in place targeted policies in all areas covered by the Convention.

**Education and stereotypes**

5. According to the report, a gender equality unit was established under the Department of Education and Science “to coordinate and monitor the process of mainstreaming a gender perspective into all areas of the education system” (para. 10.3). Please describe how the Government’s obligations under the Convention have been reflected in the training provided, as well as how the impact of training for key players (para. 10.12) has facilitated gender mainstreaming into all areas of the education system.

6. The report notes that a series of initiatives have been undertaken to increase education opportunities for educationally disadvantaged women, victims of violence and young people (paras. 10.6-10.9 and 10.40-10.50). Please provide information on the extent and the impact of those programmes on disadvantaged women.

7. The report notes that the pattern of admission by field of study continues to be strongly differentiated by gender (para. 10.31). Please describe the trends, since the last report, of female students in non-traditional fields, and if time-bound targets or goals are in place for increasing the number of female students in non-traditional fields of study such as engineering, manufacturing and construction (para. 10.31).

8. In the concluding comments on the examination of the combined second and third periodic report, the Committee expressed concern about the persistent emphasis on the role of women as mothers and caregivers (A/54/38, paras. 193 and 194), as reflected in article 41.2 of the Constitution, and the lack of emphasis in public perception and State policy on the shared responsibility of men for family and caring work (A/54/38, para. 179). Please describe steps taken by the Government in response to the Committee’s recommendation, beyond measures relating to educational materials and appointments described in paragraphs 10.24 and 10.25, and including the involvement of the media to combat gender stereotyping in a systematic manner.

**Violence against women, and trafficking**

9. The report describes in detail the measures that have been put in place to prevent and combat violence against women. In particular, it refers to the work of the National Steering Committee on Violence against Women, which aims to bring a multidisciplinary and cohesive response to the issue, as well as the regional committees established under the health boards. Kindly describe whether an evaluation of the impact of that approach has been undertaken, whether any shortcomings have been identified and how they have been remedied.

10. The Special Rapporteur on violence against women noted in her report that “the overall number of reported rapes continued to rise” and, despite the implementation of measures to address this crisis, “there remains a high level of concern in Ireland in relation to the operation of the law and Criminal Justice Processes relating to rape and sexual assault” (E/CN.4/2003/75/Add.1, para. 1686).

The report also noted that the Department of Justice, Equality and Law Reform and its Minister may inform the Judicial Studies Institute of training courses related to violence against women, yet it is “not in a position to ‘encourage’ participation by judges in such courses” (p. 121). Please indicate whether any surveys have been conducted on women’s perception of the responsiveness of the criminal justice system, including the police, prosecutors and the judiciary, to complaints of violence against women in general, and domestic violence in particular, and if so, what the results were.

11. According to the report, a domestic violence intervention project was launched in Dublin in 2003, a measure that arose out of research undertaken on the development of an intervention model for victims of domestic violence (pp. 120 and 128). Please describe the nature and impact of that integrated approach to domestic violence, including the police, prosecutors and the judiciary, to complaints of violence against women in general, and domestic violence in particular, and if so, what the results were.

12. According to the report, an end to trafficking in persons is a priority. Please provide information about trafficking in women; in particular, provide information about legislation that is in place, statistical data on women trafficked into Ireland, and traffickers prosecuted and punished and information about the services available to trafficked women, including permits to stay in the country.

#### **Political and public life**

13. In the concluding comments on the examination of the second and third periodic report, the Committee expressed concern at the underrepresentation of women in public and political life and recommended that the Government make full use of temporary special measures to increase women’s participation in politics and decision-making (A/54/38, para. 189). Despite the establishment of positive action measures taken by several political parties, the report indicates that women continue to be significantly underrepresented in public and political life (tables 7.1-7.5). Taking into account the Committee’s general recommendation 25 on article 4, paragraph 1, of the Convention and the Committee’s general recommendation 23 on women in public life, please describe efforts that are planned or in place to achieve the full and equal participation of women in the Government, civil service and other public bodies.

#### **Employment**

14. The report notes that, despite the adoption of the Employment Equality Act 1998, exclusions to the scope of its coverage make removal of the Government’s reservation to article 11 problematical (para. 11.1.5). Please further explain the reason for maintaining those exclusions, progress in reviewing them and steps towards removal of the reservation.

15. Although the Employment Equality Act 1998 includes protection against disparities in equal pay for work of equal value, the report notes that the gender pay gap in Ireland in 1997 was 15.5 per cent (para. 11.9), and that it declined to 14.7 per cent in 2000. The report also notes that the Department of Justice, Equality and Law Reform has undertaken and funded a number of initiatives to address the gender pay gap in Ireland (paras. 11.10-11.12). Please describe the impact of those initiatives and outline the proposals contained in the report to the Government on actions

needed to address the gender pay gap, prepared by the Consultative Group on Male/Female Wage Differentials (para 11.11).

16. The report describes the significant progress made by women in participation in the labour force since consideration of the last report. The report, however, provides limited information about trends, since the last report, in women's share in various occupations and levels of the labour market. Please provide such an overview, and disaggregate all the information by age groups of women.

17. Following review of maternity protection legislation, please provide information on the status of the pending recommendations of the working group, (para. 11.18.4), as well as recommendations issued by the working group that reviewed the Parental Leave Act 1998 (para. 11.24.2).

18. According to the report, a national anti-poverty strategy was launched in 1997 to reduce poverty and social exclusion (para. 3.10), and revised in 2002, under the theme "Building an inclusive society". Please provide an assessment of the impact of the strategy and how its goals are being achieved in regard to the various groups of women targeted by the strategy.

#### **Health**

19. The report notes that a national plan for women's health 1997-1999 was established in 1997. The Women's Health Council published a report in 2002 on the implementation of the plan (paras. 12.2 and 12.5). Please provide information on the evaluation of the plan implementation and on follow-up measures that continue in place.

20. In its previous concluding comments, the Committee also urged the Government to improve family planning services and the availability of contraception, including to adolescents and young adults, and to promote the use of condoms to prevent the spread of HIV/AIDS (A/54/38, para. 186). The report notes that family planning services are available free of charge to holders of a means tested card (para. 12.11). Please describe the nature and availability of family planning services for non-card holders and the current rate of contraceptive use, and indicate what steps have been taken to implement the Committee's recommendations.

21. In its previous concluding comments, the Committee expressed concern about the influence of the Church on women's reproductive health and noted that women who wish to terminate their pregnancies must travel abroad, creating hardship for vulnerable groups, such as female asylum-seekers who cannot leave the State. The Committee urged the Government to facilitate a national dialogue on women's reproductive rights (A/54/38, para. 185). According to the report, a proposed constitutional amendment related to abortion was defeated in a 2002 referendum, and as a result, the prohibition on abortion with limited exceptions remains unchanged (para. 12.12). Please indicate what steps the Government intends to take to implement article 12 of the Convention in full, taking into account the Committee's general recommendation 24.

#### **Rural women**

22. Although farm women are reported to make a significant contribution to farm operation, the report states that their work is largely invisible because, "by and

large, they are not landowners” (para. 14.4). Please describe any legal or cultural obstacles to women’s sole or joint ownership of land.

23. Does the rural development policy in place contain a particular focus on women that would enhance their access to economic opportunities and participation in decision-making processes related to rural development planning?

24. The Advisory Committee on the Role of Women in Agriculture published a report with 36 recommendations aiming at providing an input into rural development strategies and policies. Please provide information on the focus and the implementation of those recommendations.

#### **Vulnerable groups of women**

25. The report notes that women in the Traveller Community experience significantly higher rates of maternal and infant mortality and lower rates of life expectancy than the national population, which are compounded by high rates of illiteracy, poor living conditions and heavy domestic responsibilities (para. 3.12.1). Please describe the measures in place to improve the standard of living, employment and educational opportunities of Traveller women and girls, give trends in their situation over the past 10 years and indicate whether goals and time-bound targets are in place for improving their situation in these areas (para. 3.12.3).

26. Please provide information on the specific situation of vulnerable groups of women, namely migrant women, women of racial and ethnic minorities and refugee women. In particular, provide information on whether a gender perspective is reflected in the national anti-racism awareness programme; in regard to refugee women, indicate their number and whether legislation or policy is in place to enable women to claim gender-based persecution as grounds for asylum.

27. The report provides little information about the situation of older women. Please give an overview of their situation, in particular their economic well-being. In that regard, indicate the impact of women’s limited number of years in paid employment due to family and childcare responsibilities in regard to pension rights, social security and health coverage, and measures in place to counteract any negative impact.

#### **Family and personal status**

28. The report refers to the Family Law Bill (16.2). Kindly provide information on the status of that bill and on its content. In particular, indicate whether the Bill takes into account the recommendation of the constitutional review group concerning article 41.3.1 of the Constitution (para. 16.1).

29. Kindly provide an assessment of the impact of the Adoption Act of 1998, which was enacted following the European Court of Human Rights ruling in *Keegan v. Ireland* (1994).

30. Please explain the reason for maintaining the reservations to article 16 (1) d and 16 (1) f.