



Borderwise:

Human Rights, Equality & Discrimination

Everyone who lives or works in Ireland has the same rights under equality and anti-discrimination laws. This factsheet outlines Irish legislation relating to Human Rights and Equality as well as organisations which have been established to protect and promote these rights.



What are Human Rights?

Human rights are a body of legal obligations contained in treaties and legislation. The Human Rights Commission Act, 2000 defines Human Rights as;



(a) The rights, liberties and freedoms conferred on, or guaranteed to, persons by the Constitution, and

(b) The rights, liberties or freedoms conferred on, or guaranteed to, persons by any agreement, treaty or convention to which the State is a party.



These treaties are agreed by international organisations such as the United Nations and the European Union, and are signed and ratified by states.

Under the Good Friday Agreement the Government was charged with ensuring at least an equivalent level of human rights protection is afforded in Ireland as exists in Northern Ireland. The European Convention on Human Rights was incorporated into Irish Law on 1 January 2004.

The European Convention on Human Rights

The EU Charter of Fundamental Rights lists the civil, political, social and economic rights which are recognised by the European Union (EU). These rights are listed under the headings of Dignity, Freedoms, Equality, Solidarity, Citizens' Rights and Justice, and there are specific principles which apply to specific groups such as older people, children and people with disabilities.

The Constitution

The Irish Constitution recognises and declares that people living in Ireland have certain fundamental personal rights.

Your constitutional rights include:

- Equality before the law
- The right to life
- The right to trial by jury
- The right to bodily integrity
- Freedom to travel
- Personal liberty
- Freedom of expression
- Freedom of assembly
- Freedom of association
- Religious liberty
- The rights of the family

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- Property rights
- The right to earn a livelihood
- Inviolability of dwelling
- The right to fair procedures
- The right to privacy

The Irish Human Rights Commission

The Irish Human Rights Commission is an independent body set up under the Human Rights Commission Act 2000 and Human Rights Commission (Amendment) Act 2001. The Commission was established as a result of a commitment under the Good Friday Agreement 1998. The function of the Commission is to promote and protect human rights in Ireland and ensure that Irish law and practice of the Irish state is in line with international agreements and the Irish Constitution. For advice or assistance on human rights issues in Ireland contact: Irish Human Rights Commission Telephone (01) 858 9601 or alternatively visit the website www.ihrc.ie

Equality

You may not be discriminated against on grounds of gender, marital status, family status, age, race, religion, disability, sexual orientation or membership of the Traveller community. The non-discrimination legislation applies to all aspects of employment including the recruitment process and access to training. You may get further information and assistance from the Equality Authority.

The Equality Authority

The Equality Authority is an independent statutory body in Ireland set up to ensure that all citizens in the country are treated equally and to ensure that discrimination on certain grounds does not occur. The Employment Equality Act 1998 and the Equal Status Act 2000 (as amended by the Equality Act 2004) outlaw discrimination in employment, vocational training, advertising, collective agreements, the provision of goods and services and other opportunities to which the public generally have access. For further information contact the Equality Authority Telephone (01) 4173333 or visit the website www.equality.ie

What is discrimination?

The act of discrimination involves treating someone less favourably than someone else has been, or would be, treated in employment matters for a reason not connected to that person's ability to do the job, for example, because of their religious beliefs or political opinions, sex, race or disability. Discrimination does not have to be obvious or direct. Further information is available by contacting the equality authority.

Employment Rights

If you work in the Republic of Ireland you will normally have the following basic rights:

- to be paid the National Minimum Wage
- not to have unlawful deductions from your wages
- to working hours and holidays in line with legislation
- to join a Trade Union
- to Health and Safety protection
- rights relating to pregnancy



Contact Details

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