

## **STATEMENT**

### **UPR Pre-Session on Ireland**

**Geneva, 25 August 2026**

**Delivered by FLAC (Free Legal Advice Centres)**

#### **INTRODUCTION**

This statement is delivered on behalf of FLAC (Free Legal Advice Centres) and the Irish Council for Civil Liberties - two of Ireland's oldest independent human rights organisations.

FLAC has made submissions in relation to Ireland's human rights record during each previous UPR cycle. This statement reports on the implementation of previous recommendations and highlights emerging issues of concern in four areas: (1) Civil Legal Aid, (2) Access to the Courts, (3) Equality and Non-Discrimination, and (4) Traveller and Roma Rights.

#### **A. CIVIL LEGAL AID**

##### **Follow-Up on Previous Reviews**

Ireland supported four recommendations it received at the previous UPR about civil legal aid, including recommendations to review its civil legal aid system from Switzerland and to ensure that vulnerable groups such as Travellers and Roma have access to information about their rights from the Netherlands.

##### **Updates**

Ireland has since undertaken a comprehensive and independent review of its civil legal aid system but it has not yet introduced any substantive reforms to the system since the review was completed in April 2025. The Minister for Justice has committed to additional funding for civil legal aid in the next budget but no reform plan has been published to date.

The chronically under-funded system of civil legal aid is now at crisis-point and at risk of collapse. The system does not, and cannot by design, provide legal information or provide targeted information to groups about their rights, nor does it provide legal representation in key areas for disadvantaged groups such as housing, social security or discrimination. There are delays of over a year for a first appointment with a legal aid lawyer.

##### **Questions & Recommendations**

The State should be asked to provide a timeline for comprehensive reform of the system of civil legal aid.

Legal aid should be treated as an essential public service and the system should be transformed to target disadvantaged groups. To achieve this, the State should commit to providing legal representation in the areas of law which most impact disadvantaged and marginalised groups, providing targeted and community law centres for those groups, and providing information to those groups about their rights.

#### **B. ACCESS TO THE COURTS**

##### **Follow-Up on Previous Reviews**

Ireland accepted previous UPR recommendations which noted the need to "*ensure that disadvantaged and marginalized individuals and groups benefit from better access to the law.*"

##### **Updates**

However, the State has since proposed reforms to Ireland's system of judicial review which may block disadvantaged groups from access the courts and from taking judicial review cases about access to basic public services like housing or social security.

The UN Special Rapporteur on the human right to a clean, healthy and sustainable environment has stated that "*recent proposals for judicial review contained in the General*

*Scheme of the Civil Law Reform Bill 2025 may be regressive...reduce access to justice and [limit]... the possibility of citizens to defend their rights and advance their rights and accountability.”*

The Department of Justice has not engaged with stakeholders or held a public consultation in relation to the proposals contained in the 2025 Bill. The Parliamentary Justice Committee has called for the 2025 Bill to be overhauled.

### Questions & Recommendations

The State should be asked to not to proceed with the proposals concerning access to judicial review in their current form. It should commit to undertake research about the impact of any changes to judicial review, and to engage in consultation with groups who are likely to be impacted by any such changes. It should also commit to ensuring that any changes to judicial review do not block or limit access to the courts, including for disadvantaged groups.

## **C. EQUALITY & NON-DISCRIMINATION**

### Follow-Up on Previous Reviews

In the area of equality and non-discrimination, Ireland accepted a range of recommendations at the previous UPR, including a number of recommendations which should require Ireland's outdated and ineffective anti-discrimination laws to be amended.

### Updates

While Ireland has since completed a comprehensive review of its anti-discrimination legislation and published draft reforming legislation, the Equality (Miscellaneous Provisions) Bill 2024, that reforming legislation has not been finalised or passed.

It remains the case that Ireland's anti-discrimination laws do not adequately apply to the State including in the areas of housing, healthcare, social security and education, or to public bodies like the police and prison service. The obligation to provide reasonable accommodation for people with disabilities under the Equal Status Acts is limited and not consistent with the UNCRPD. The remedies for breaches of equality law are not effective or proportionate, and they do not act as a deterrent against discrimination. The process for making a discrimination complaint is inaccessible, and complaints against licenced premises are heard by the District Court rather than the specialised tribunal for equality cases (the Workplace Relations Commission) – this acts as major barrier to justice for the Traveller community.

The draft Equality Bill proposes to address these issues, including by raising the maximum level of compensation under the Equal Status Acts from €15,000 to €75,000. The Parliamentary Equality Committee has considered the draft legislation and produced a report calling for it to be expanded in its scope.

### Questions & Recommendations

Ireland should be asked to urgently advance the legislation to reform its anti-discrimination laws and to provide a timeline for reform.

It should amend the Equal Status Acts to:

- clearly prohibit discrimination by the State and public bodies,
- to bring its obligations to provide reasonable accommodation into compliance with the UNCRPD,
- significantly raise compensation levels, and
- make the complaint process more accessible – including by restoring jurisdiction for complaints against licenced premises to the Workplace Relations Commission.

## **D. TRAVELLER & ROMA RIGHTS**

### Follow-Up on Previous Reviews

Ireland supported a number of recommendations from the previous UPR cycle in relation to the rights of the Traveller and Roma communities, including recommendations concerning those groups' access to public services.

### Updates

However, despite the adoption of the new Traveller and Roma Inclusion Strategy, there remain major barriers to Travellers and Roma accessing housing and social security.

A 'habitual residence condition' in social security law continues to have a disproportionate negative impact on members of the Roma community who often face difficulties satisfying the condition due to lack of documentation, proof of address and language and literacy skills. In the time since FLAC made our UPR submission earlier this year, legislation has been passed which introduces similar residence conditions for access to social housing and emergency homelessness accommodation. The impact of this legislation (which was passed in July 2026) is likely to be an increase in homelessness for non-Irish nationals and minority ethnic and migrant communities, including Travellers and Roma.

In 2019, an independent expert review identified an "*extremely high rate of Traveller homelessness*" in Ireland and called for comprehensive reform of the laws concerning Traveller Accommodation and evictions. No such law reform has taken place to date. The most recent official figures indicate that over 1,900 Traveller families are living on unauthorised halting sites (where they are very unlikely to have access to basic services) or living in overcrowded/shared accommodation.

### Questions & Recommendations

Ireland should be asked to remove the 'habitual residence condition' as a criterion for access to emergency homelessness accommodation and for the 'safety-net' Supplementary Welfare Allowance payment. It should urgently review the impact of these conditions on minority ethnic and migrant communities.

Ireland should be asked to provide a timeline for the implementation of the law reform recommendations arising from the Traveller Accommodation Expert Review. It should implement legislative reforms to improve access to and standards in Traveller-specific accommodation, and amend eviction laws to ensure that, other than in the most exceptional of circumstances, Travellers' homes can never be interfered with in the absence of a proportionality assessment by a court and an offer of alternative appropriate accommodation to homeless families.

It is regrettable and unprecedented that no Traveller or Roma groups have been afforded speaking time at this pre-session. Travellers and Roma are amongst the most marginalised groups in Irish society and experience very high levels of racism. In order for this process to be credible and effective, it is vital that their voices are heard. FLAC would encourage engagement with the Traveller and Roma groups who have made UPR submissions and who are in attendance at this pre-session.

## **CONCLUSION**

We are happy to take any questions, provide further information and to engage with embassies/permanent missions about the matters raised in this statement.

Thank you for your attention.