

Equality & Anti-Discrimination

SUMMARY OF PREVIOUS UPR RECOMMENDATIONS

Ireland supported a significant number of recommendations it received as part of its third review under the UPR mechanism in relation to the area of equality & anti-discrimination. These include:

- 157.56 (Argentina): Step up the implementation of measures against racial discrimination, which mainly affect people of African descent and members of the Roma community.
- 157.60 (Bangladesh): Strengthen efforts, including legislative mechanisms, to root out racism, racial discrimination and hate crimes.
- 157.179 (Republic of Moldova): Continue efforts aiming at ensuring equal opportunities for women in the labour market and eliminate the gender wage gap.
- 157.243 (Bulgaria): Consider a reform in the legislative and policy framework related to persons with disabilities with a view to fully meeting the standards set by the Convention on the Rights of Persons with Disabilities.

NATIONAL FRAMEWORK

The Equal Status Acts prohibit discrimination in the provision of goods and services, accommodation and education on nine grounds. The Employment Equality Acts prohibit discrimination on the same grounds in employment. Discrimination complaints are generally heard by the Workplace Relations Commission (WRC).

The Minister for Children, Equality, Disability, Integration and Youth announced a comprehensive review of Ireland's equality legislation in 2021. In January 2025, draft reforming legislation was published on foot of that review. The Parliamentary Equality Committee has considered the draft legislation and produced a report calling for it to be expanded in its scope.

CHALLENGES

Over time, significant issues with the effectiveness of Ireland's equality legislation have become increasingly evident:

The extent to which State activity and the actions of public bodies - such as the police force (An Garda Síochána) and the Irish Prison Service - come within the scope of the legislation is limited and unclear.

The obligation to provide reasonable accommodation for people with disabilities under the Equal Status Acts is very limited and not consistent with the United Nations Convention on the Rights of Persons with Disabilities.

The remedies available 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 complaint is inaccessible and difficult with far too many procedural barriers.

IMPACTS

The weaknesses in the Irish equality legislation mean that it does not act a deterrent against discrimination or give rise to a 'culture of compliance' with equality laws. The number of cases taken under the equality legislation are low, despite independent and official reports of very high levels of discrimination within Irish society. This suggests not only a lack of awareness of rights but also other significant issues with the legislation and with the accessibility of the process for making a discrimination complaint.

The need for comprehensive reform of the legislation was acknowledged when the Minister for Equality decided that it should be reviewed "as a whole."

CHALLENGES

The grounds on which people experience discrimination in 2026, such as on the basis of socio-economic status, are not adequately covered by the legislation. Discrimination on two or more grounds where the discriminatory treatment is linked to the combination of grounds, rather than to each ground separately (referred to as 'intersectional discrimination') such as that experienced by Roma women is not explicitly covered by the legislation.

IMPACTS

The draft Equality (Miscellaneous Provisions) Bill 2024 which has been published would address many of the issues with the legislation, including by raising the maximum level of compensation under the Equal Status Acts from €15,000 to €75,000.

However, that legislation has not been finalised or passed and its progress has seemingly stalled.

QUESTIONS & RECOMMENDATIONS

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

Ireland 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,
- to significantly raise compensation levels, and
- to make the complaint process more accessible – including by restoring jurisdiction for complaints against licenced premises to the Workplace Relations Commission.

Ireland should also amend the equality legislation to:

- prohibit intersectional discrimination, and
- expand the grounds covered by the legislation, including by adding a disadvantaged socio-economic status ground.

SOURCES

FLAC & ICCL's Joint UPR Submission, as well as FLAC's statement at the UPR Pre-Session and other UPR Factsheets can be accessed at: www.flac.ie/upr

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