



LGBTI Rights

In 2015, Ireland became the first country in the world to permit marriage for same-sex couples by popular referendum, where 62% of voters approved a change to the constitution in order to permit marriage equality. In October 2015, the result of the referendum became law under the Marriage Act 2015.

A law providing for the recognition of gender of trans persons was adopted in July 2015, which represents a significant and progressive step forward in the recognition of rights for trans people in Ireland.

However, despite these developments in the law, a number of challenges still remain - including being subject to discrimination in access to goods and services, exemptions for employers from equality and anti-discrimination provisions, and low levels of prosecutions for hate crimes.

Recommendations

Introduce legislation to regulate surrogacy and ensure legal provisions apply equally to same-sex and opposite-sex couples

Extend protections against discrimination on the grounds of 'gender identity' and/or 'gender expression' in all equality policy and legislation

Ensure that trans people have access to regional healthcare services, including mental health services

Amend the Gender Recognition Act 2015 so that trans and intersex young people can avail of legal recognition that is quick, transparent and accessible

In 2015, the Government indicated that it had agreed to prepare new laws to regulate surrogacy and the broader area of assisted human reproduction and associated research but this legislation has not yet been produced.

In December 2015, the Government introduced legislation to amend Section 37(1) of the Employment Equality Act 1998 to restrict employers in state-funded institutions from discriminating against employees on a number of grounds including in relation to sexual orientation in order to uphold the religious 'ethos' of the institution. However, it is still possible for non-state funded religious institutions to discriminate on these grounds.

'Gender identity' and 'gender expression' are not currently grounds for protection under existing equality legislation.

Trans people face barriers to accessing healthcare and lack clear transition pathways. The trans community also experiences high levels of poor mental health, self-harm and suicidality. However, there is currently a lack of access at a regional level to adequate trans healthcare and transition-related services.

While the Gender Recognition Act is a welcome development, the Act provides a limited pathway to legal recognition of 16 and 17 year olds.

Facts and Figures

The Gender Recognition Act 2015 provides that, for recognition of 16 and 17 year olds, there is a requirement of parental consent, statements from two medical practitioners and a court order. This is an onerous process which will prevent many young people from being formally recognised.

About Your Rights. Right Now

Your Rights. Right Now is a coalition of 17 Irish NGOs, trade unions and civil society groups established by the Irish Council for Civil Liberties (ICCL) in 2010 to coordinate the civil society response to Ireland's first examination under the Universal Periodic Review. This group was re-convened in 2015 in advance of Ireland's second examination. The coalition conducted a number of general and thematic consultations and invited written submissions to inform its report which was submitted to the UN in September 2015.

Members of the coalition are:

- Age Action
- Educate Together
- Free Legal Advice Centres
- Gay and Lesbian Equality Network
- Immigrant Council of Ireland
- Irish Congress of Trade Unions
- Irish Council for Civil Liberties
- Irish Family Planning Association
- Irish Penal Reform Trust
- Irish Traveller Movement
- Mercy Law Resource Centre
- NUI Galway, Centre for Disability Law and Policy
- Pavee Point Traveller and Roma Centre
- Transgender Equality Network Ireland
- Union of Students in Ireland
- Disability Federation of Ireland

For more information see www.rightsnow.ie