

**Amnesty International Ireland Programme for Government submission to Fianna Fáil, Fine Gael & Green
Party - May 2020**

COVID-19 has highlighted the importance of decisive pandemic preventive action, strengthening societal resilience, and remedying entrenched inequalities to avert future crises and mitigate their impacts. For a strong and healthy post-pandemic Ireland, the new government's policies must be future-proofed in terms of its human rights obligations, and to be responsive to new pandemic emergencies (including possible resurgences of COVID-19) and the burgeoning climate crisis.

This Programme for Government is a unique opportunity to set out the sort of radical changes needed to become the society we can and want to be, even in the face of the serious impact the pandemic will have on public finances: one with a strong public health system, and the housing, work and social protection mechanisms necessary for everyone to enjoy the highest attainable standard of physical and mental health on an equal basis.

Clearly, our health service must be better prepared for future pandemics. Health and other front-line workers must have adequate protective equipment, public health guidance and psycho-social and other support. More is needed, though. We have seen innovative public health and healthcare measures rapidly taken to protect people's lives and health in the COVID-19 context. However, there has been suspension, interruption or delay of other health-saving and potentially life-saving services and treatments; key health services must be guaranteed in planning for future crisis contexts.

We have seen what is possible in transforming healthcare in an emergency, e.g. unifying public and private health systems in one area of care. Quality health services and treatments necessary for prevention and care more generally can and must be made accessible, available and affordable for all, on the basis of health need rather than ability to pay.

Adequacy of housing has become a pivotal issue in this pandemic. As noted by the UN Special Rapporteur on Adequate Housing: "Housing has become the front-line defence against the coronavirus. Home has rarely been more of a life or death situation". Emergency responses put in place for addressing the COVID-19 risks for people experiencing or at risk of homelessness have shown what is possible as we look to post-pandemic Ireland. We can and must now introduce legislative and other measures to ensure affordability of housing, including adequate levels of state-provided housing, and regulations on rent levels and other housing-related costs in the private sector. We critically need robust standards to ensure housing is adequate, including in a pandemic situation; this is in terms also of the requirements of habitability, location and availability of services, facilities and infrastructure in line with international human rights standards. This is the framework through which new housing, including state-provided/subsidised/leased housing, should be planned, built and provided.

This also applies to Direct Provision. The COVID-19 crisis has thrown into sharp relief how utterly inappropriate and unacceptable this accommodation model is, and that it must urgently be replaced with a human rights compliant alternative.

When we look beyond emergency responses to COVID-19, we see we are at an historic crossroads in how we plan and implement healthcare and housing policy into the future. It is an unprecedented opportunity for the new government to also radically redirect and transform other areas of social policy.

The COVID-19 public health emergency has grimly highlighted deep structural inequalities and injustices that have put certain groups in our society at greater risk of infection and death. We need better services and supports for older people and persons with disabilities, who have disproportionately been affected by COVID-19; and a shift away from congregated residential settings to enabling people to live and be cared for safely and in dignity in their communities.

It has exposed the particular effects on women and girls, such as the increase in domestic violence in lockdown situations, and lack of access to housing for those fleeing unsafe homes. People living in poverty, the Traveller and Roma community, migrants, sex workers, children and others have also been particularly affected. Prisons

have proven unsafe in pandemic contexts; this also further highlights the need for decriminalisation of possession of drugs for personal use.

Addressing social and economic inequalities will be the litmus test of whether or not we have learned from this public health crisis. Aside from the human rights obligation to prioritise groups at risk of infection, COVID-19 has shown that no one in society is safe from a pandemic unless we are all safe.

COVID-19 is not only a health crisis: its economic toll and fallout will have with far-reaching and long-lasting socio-economic ramifications. As the impact deepens, leading to diminished state resources and potential continuing business closures and job losses, the new government must mitigate the harshest economic impacts on those most marginalised. Human rights must be built into the response; including economic, social and cultural (ESC) rights, and equality and non-discrimination as cross-cutting rights. It is time to revisit the 2014 recommendation of the Constitutional Convention that ESC rights be given constitutional status, particularly the rights to housing and health; this will compel and guide outcomes-focussed policy-making and effective use of limited resources.

The new government must review the temporary exceptional measures put in place to address COVID-19, to ensure any such measures needed in the future comply with the principles of legality, proportionality and necessity, and that they cannot be arbitrary or discriminatory in their application or impact. This includes digital surveillance technologies, which have huge potential to violate privacy and other human rights. There must be no “slow slide” of current exceptional powers into ordinary law.

The new government must also engage with civil society groups and value their participation in policy-making, including by removing the draconian Electoral Act limits on donations for advocacy work.

The COVID-19 crisis has not eliminated the urgent need to deal with the global climate emergency. Noting Ireland’s human rights obligations and the scientific guidance provided by the Intergovernmental Panel on Climate Change on how to keep global heating below 1.5°C, the new government must take all possible domestic and multilateral steps to ensure that global emissions are reduced by 45% from 2010 level by 2030 and reach zero-carbon emissions by 2050 through means that are consistent with human rights. Otherwise, the lives and rights of people in Ireland and around the world are at risk. Although the economic impacts of COVID-19 may slow states’ allocating resources towards a transition away from fossil fuels, Ireland should set out a clear time-line to phase out fossil fuels aligned with the IPCC scientific guidance and establish rules and regulations to accomplish this in order to incentivise a shift to renewable energy.

The new government should also ensure that responses to the COVID-19 crisis help ensure a human-rights-consistent transition towards a zero-carbon economy and a resilient society. For example, where possible and relevant, COVID-19 economic recovery packages should facilitate the transition away from fossil fuels and towards human rights-consistent renewable energy. They should also provide for a rapid phasing out of fossil fuel subsidies in favour of greater social protection.

Economic recovery packages should also allow for the creation of green and other new jobs which facilitate the transition towards a zero-carbon economy and deliver both sustainable and decent employment for workers. Such work opportunities should take into account the rights of people belonging to groups already experiencing discrimination and marginalisation. Economic recovery packages should protect the right to an adequate standard of living of all people, including those on lower incomes and those working in the informal sector.

Although the economic impacts of COVID-19 are putting even the economies of wealthier countries under pressure, this should not be used as a reason to reduce or fail to increase international cooperation and assistance, including climate finance, to developing countries.

Protecting the right of everyone to a safe, clean, healthy and sustainable environment, in Ireland and around the world, would also reduce the impacts of future pandemics and other global crises.

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