



LIFE INSTITUTE

SUBMISSION TO THE UNITED NATIONS UNIVERSAL PERIODIC REVIEW

TWELFTH SESSION OF THE WORKING GROUP ON THE UPR HUMAN RIGHTS COUNCIL

19th March 2011

EXECUTIVE SUMMARY

- The right to life is a fundamental right, and without it other rights become meaningless. For every human being, life begins at conception.
- The United Nations' Working Group will be aware that the Universal Declaration of Human Rights upholds the right to life of every person. The Declaration also states that "everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind." In that context, the Life Institute calls on the United Nations to recognise that Ireland's ban on abortion upholds the human rights of her unborn citizens, and furthermore, urges the United Nations to call for a universal ban on abortion in order to vindicate and respect the right to life of every person.
- The Life Institute represents the pro-life views of the majority of the Irish people. We call on the United Nations' Working Group to recognise and respect our ban on abortion, and to applaud Ireland's protection of the human rights of her citizens before birth. Unless the United Nations upholds its founding principles and recognises the right to life, without exception or discrimination, it will lose credibility, respect and cease to function as human rights defender.

BACKGROUND AND FRAMEWORK

The Life Institute works to promote a Culture of Life. We have consulted with our national membership in preparing this submission and also refer the Working Group to the results of numerous opinion polls supporting Ireland's ban on abortion.

PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

Article 3 of the Universal Declaration of Human Rights recognises the right to life of every person.

It also states that "everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind."

Despite persistent lobbying by the wealthy abortion industry, the United Nations has never recognised a 'right' to abortion. To do so would contradict the founding principles of the UN, which would then also lose the respect and support of a great many human rights defenders worldwide.

The Irish Constitution recognises the right to life of the unborn child in Article 40.3.3 which states: The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.

The Irish people have expressed their support for a ban on abortion in three referenda: In 1983, 1992 and 2002. Attempts to relax Ireland's ban on abortion have been rejected several times.

Furthermore, opinion polls consistently show that a substantial majority wish to retain Ireland's ban on abortion. Most recently a Red C poll carried out between 8th – 10th February 2011, found that 68% of Irish people supported constitutional protection for the unborn that prohibits abortion but allows the continuation of the existing practice of intervention to save a mother's life in accordance with Irish medical ethics.

It is also important to point out that Ireland, without recourse to abortion, is the safest place in the world for a woman to have a baby, according to the United Nations' Maternal Mortality reports.

In that context, the Life Institute calls on the United Nations to recognise that Ireland's ban on abortion upholds the human rights of her unborn citizens and, furthermore, urges the United Nations to call for a universal ban on abortion in order to vindicate and respect the right to life of every person.

We also submit that the Irish government should do more to protect the right to life of unborn children. In particular, we find that the State's record of bringing minor children, who become pregnant while in care, to Britain for abortions directly contradicts their obligations under



Article 40.3.3 of the Irish Constitution and Article 3 of the Universal Declaration of Human Rights.

Recently, the European Court of Human Rights, ruled in the ABC case which sought to overturn Ireland's abortion laws. We note the involvement of the international abortion providers, Planned Parenthood in the attempt to undermine the right of a sovereign nation to decide on important social and moral issues.

However, the European Court has decided that there is “no human right to abortion” stemming from the European Convention and that the Irish Constitution's prohibition of abortion respected the provisions of the European Convention on Human Rights.

Abortion campaigners have seized on the ruling of the ECHR in relation to Ms C, and are insisting that Ireland's Constitution recognises a 'right' to abortion. The Irish Constitution does no such thing, but in order to address the issues raised by the X-case, the ABC case and the RvR case (involving frozen human embryos) a referendum should be held so that the Irish people can maintain Ireland's ban on abortion.

COOPERATION WITH HUMAN RIGHTS MECHANISMS

1. Both the Universal Declaration of Human Rights and the European Convention on Human Rights recognise the right to life.
2. The Irish Constitution recognises the right to life of the unborn child - but the government now needs to move to ensure that constitutional protection is maintained in view of the RvR case and the ABC case. and that a referendum is granted which can confirm Ireland's protection of unborn life.
3. Human Rights groups are given taxpayer funding in Ireland with the exception of pro-life groups. This should be addressed and the process by which rights organisations receive funding should be open and transparent. There is too much secrecy, cronyism and agenda-pushing currently driving decision making in relation to taxpayer funding in Ireland.

IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

The Right to Life must be better protected by the Irish government, who should hold a referendum to address the issues raised by the RvR case, the ABC case and the X case. The people, who are sovereign under Article 6 of the Irish Constitution, should be given the right to maintain Ireland's protection of unborn human life by means of a referendum

RECOMMENDATIONS

The Working Group should support and assist Ireland in protecting human life from the moment of conception.