**Written submission from Northern Ireland Women’s European Platform (ANI0331)**

**Introduction**

Northern Ireland Women’s European Platform (NIWEP) welcomes the opportunity to contribute evidence to this Inquiry. NIWEP is a membership organisation of women’s NGOs in Northern Ireland. Established as the Northern Ireland link to the European Women’s Lobby, the EU’s expert body on women’s rights and gender equality, NIWEP’s core role is to ensure the voice of women in Northern Ireland is heard at the national and international level. NIWEP represents the Northern Ireland women’s sector at the UN, as an NGO with special consultative status with ECOSOC.

NIWEP’s core objectives involve raising awareness and promoting implementation of key international human rights treaties and initiatives, including the Convention on the Elimination of All Discrimination against Women (CEDAW). NIWEP was among the organisations instrumental in requesting the CEDAW Inquiry into reproductive rights in Northern Ireland, under the Optional Protocol to CEDAW. A key role for NIWEP is ensuring women and girls are engaged in policy and decision making, as well as promoting gender responsive policy and decision making at local, regional and national level taking account of the state’s international obligations. NIWEP believes that reproductive rights are a central element of human rights for women and girls, and holds that reproductive choice is central to exercising women’s human rights. The comments in this response are made in this context.

**International obligations and devolution**

As noted above, NIWEP was one of the organisations that took action which led to the instigation of the CEDAW Inquiry into reproductive rights in Northern Ireland, under the Optional Protocol. NIWEP was also among the signatories to an open letter to the Minister for Women and Equalities in March 2018, which followed the publication of the Inquiry report in February 2018.

NIWEP would like to highlight the findings of the Inquiry, which conclude that the current situation constitutes a violation of the human rights of women and girls. The UK government therefore has a duty to take action to ensure this violation is redressed. It is central to note that under CEDAW, responsibility lies with the UK government, as the state party to the Convention. This has been repeatedly highlighted by the CEDAW Committee in examinations of the UK, where Concluding Observations from 2008 and 2013 emphasise that ‘the Convention is binding on all branches of government and invites the State party to encourage its parliaments ... to take the necessary steps with regard to the implementation of the present concluding observations between now and the next reporting process under the Convention.’

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This position is reiterated in the report of the Inquiry, which cites both the Vienna Convention on the Law of Treaties and the Committee’s General Recommendation 28 to conclude that ‘the UK cannot invoke its internal arrangements (the Belfast Agreement) to justify its failure to revise NI laws that violate the CEDAW Convention’. Devolution can therefore not constitute an obstacle to taking action; the current situation with no sitting Assembly and Executive is also not a justification for inaction on the same basis that human rights are not a devolved matter.

NIWEP would urge the UK government to ensure that action is taken on the Inquiry report as a matter of urgency, to ensure that the human rights of women and girls in Northern Ireland are upheld and that women and girls in Northern Ireland can enjoy and exercise rights that are on a par with those enjoyed by women and girls elsewhere in the UK. As a key priority, action is required to repeal Articles 58 and 59 of the Offences Against the Person Act 1861 to ensure that no criminal charges can be brought against women and girls who undergo abortions, or against qualified health care professionals that provide and assist in the abortion. As emphasised in the report, this is a central issue with significant impacts on all aspects of a woman’s life, which also acts as a barrier to accessing appropriate care and constitutes a ‘chill factor’ for medical professionals.

Recommendations of the Inquiry under the CEDAW Optional Protocol and people’s views

NIWEP would also like to highlight the full recommendations of the Inquiry, and would urge the UK Government to ensure action is taken to deliver on the recommendations in full. The Inquiry provides a comprehensive overview of the issues in relation to abortion legislation in Northern Ireland and sets out a detailed series of recommendations, which when implemented will reduce the complex and multifaceted barriers women and girls in Northern Ireland face in relation to comprehensive reproductive health care. In particular, the report highlights the traditional gender attitudes still highly prevalent in Northern Ireland, which affect all aspects of women’s lives and shape public discourse not only on reproduction, but gender equality more generally.

NIWEP would particularly like to highlight the Inquiry recommendation in relation to Relationship and Sexual Education (RSE). There is currently no consistent policy from the Department of Education on RSE; existing guidance allows each school to develop its own policy. As a consequence, provision is uneven and even where provided,

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often delivered by external agencies that are not subject to regulation of any kind. Anecdotal evidence also indicates that due to a lack of training, many teachers feel ill equipped to deliver lessons.

NIWEP would welcome the UK government acting to encourage development of consistent RSE across the UK, as this is an important area for gender equality in general, while a strengthened understanding and more open discussion of sexuality, relationships and reproduction among all genders also can play a central role in reducing unplanned pregnancies, thus reducing the demand for abortions. Compulsory, age appropriate education from foundation stage to Key Stage 4, with a clearly outlined curriculum and appropriate regulation of providers, is essential to ensure equality of provision among all young people, and also to challenge traditional gender roles, which remain particularly strong in Northern Ireland.

It is also relevant to note that findings from the Northern Ireland Life and Times Survey show that a strong majority of respondents believe that abortion should be legal where there is serious risk to a pregnant woman’s life or health. Over 80 per cent think that abortion should be legal where the foetus has a serious abnormality and will not survive the birth and 78 per cent say abortion should be legal in cases of rape or incest. There was also strong resistance to the criminalisation of abortion in the survey, which indicates a change in attitudes towards abortion over time.  

NIWEP is currently preparing a shadow report for the examination of the UK under CEDAW, on behalf of women’s organisations in Northern Ireland. The issue of reproductive health care will be an important element of the report and the issues highlighted in this response will be further developed in the report. In conclusion, NIWEP would like to highlight that successive Concluding observations by the CEDAW Committee have called for action in relation to reproductive health care in Northern Ireland, and would welcome action on these observations in the current Parliamentary mandate, to ensure the UK complies with its obligations under international human rights law.

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