



ESC Rights Initiative

Implementation of Economic, Social, and Cultural Rights in Ireland:

Key Issues in Health

The enforcement and implementation of Economic, Social, and Cultural Rights would ensure that citizens are fully and justly protected from many of the troubling and systemic issues that they currently face, especially in regards to accessing sufficient healthcare services. Of the people surveyed by Amnesty International in Ireland, 71% believed that the constitution should be amended to protect additional human rights such as the right to health, housing, and an adequate standard of living (Amnesty International, 2014). Figures such as these clearly illustrate the pertinence of these issues for Irish society. In exploring impediments to an adequate standard of living, All Together in Dignity (ATD) Ireland has worked with families and individuals experiencing homelessness and poverty to gain an understanding of the most common barriers they face in achieving a decent standard of living. One of the projects has a specific focus on health and healthcare issues, looking in depth at different individual and institutional impediments to good health in Ireland. The project, Our Voices, has been in operation since March 2016 and explores the issues that affect individuals in low-income communities. Through several stages of direct consultations with people experiencing these barriers, several key issues were identified. It was discovered that socio-economic factors play a critical role in determining the health of individuals; the most commonly cited determinants include:

Housing and Environment

Part III Article 11: right of everyone to adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

Currently many members of the community face tremendous difficulty securing safe and habitable housing and are driven to living in increasingly poor conditions, with chronic damp and over-crowdedness being urgent problems. Inadequate physical conditions are compounded by a sense of insecurity regarding uncertain length of residence which can in turn take a toll on mental health. A key component of the right to adequate housing would be legal security of tenure, meaning that all people would be entitled to legal protection against forced evictions, harassment, and other such interference from third parties, alleviating some of the undue stress created by these housing situations.

Voices from the community:

"As long as you're paying rent...and [you are informed] your bed is safe and then they come to you a week later telling you that you're getting moved...you could be doing well and then you get moved into a worse hostel and with all the good work you've put in, it's gone...I suppose you could never feel safe in your own mind."

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Access and Availability

Part III Article 12: right of everyone to the enjoyment of the highest attainable standard of physical and mental health. The creation of conditions which would assure to all medical services and medical attention in the event of sickness.

Lengthy waiting periods for access to necessary medical attention, a lack of funding for adequate mental health services, insufficient time with doctors during appointments, and inconsistent messages from different providers are all problems faced by low-income service users. Obligations to the right of health would ensure a right to the enjoyment of a variety of facilities, goods, services, and conditions necessary for the realization of the highest attainable standard of health.

Voices from the community:

"I have to get an MRI scan on my legs with all the pain I keep having. For two years I've been having one test after another but they say I need to have this MRI test but I don't have the money so it could be another year and a half before I get it."

Discrimination and Exclusion

Part II Article 2: rights in the covenant exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Discrimination based on previous or current addiction or homelessness is a common occurrence for many service users within the community. Fulfilling obligations under these rights would ensure protection from such discrimination and guarantee a fair standard of care for all people and a fair division of resources.

Voices from the community:

"They're assuming that you are just looking for somewhere to get out and have your 3 meals and a bed...just for a bit of respite...it's discrimination- discrimination against homelessness."

Economic Factors

Part III Article 6 and 7: outline the recognition of the right to work, including the right of everyone to gain a living by work that is freely chosen or accepted. Furthermore, the remuneration of this work must provide all workers with fair wages (equal pay for equal work), safe and healthy work condition, and a decent living for themselves and their families.

Without fair and equitable opportunities for people to improve their own conditions and livelihoods and to provide for their families, a sense of frustration and hopelessness emerges which can result in an array of negative outcomes that serve to exacerbate existing divides. The recognition of the right to work would ensure that all people have equal opportunity to gainful employment and are entitled to an active effort to improve their own conditions, creating, ultimately, a more inclusive and equitable society.

Voices from the community:

"What makes [health] worse is the lack of employment and job opportunities. This creates a situation where so often we then see how the crime rate goes up, people don't have enough food to put on the table, the rate of homelessness rises. Poverty becomes the gap between the wealthy and the poor."

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