

Irish Congress of Trade Unions

Submission to the Citizens' Assembly: Repeal of the 8th Amendment

December 2016

Introduction

Congress is the largest civil society organisation on the island of Ireland, representing and campaigning on behalf of some 800,000 working people. More than half of our membership is female. Congress seeks to achieve a just society, one which recognises the rights of all workers and citizens to enjoy the prosperity and fulfilment which leads to a good quality of life. Congress strives to achieve economic development, social cohesion and justice by upholding the values of solidarity, fairness and equality.

Position on Repeal the 8th

The 8th Amendment of the Constitution Act, 1983 was effected following a referendum in September 1983 which asked Irish people to vote on the state's abortion laws.

It states that: *"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."*

In 1983 the Executive Council of Congress was of the view that the proposed amendment was unnecessary and that it would be unwise and undesirable to proceed on the basis that: "The rigidity and inflexibility of constitutional directives on social and moral issues was inappropriate in a democracy."

In addition, Congress stated that: "Such matters should be the preserve of elected representatives in the Dáil and that statute law was the appropriate means to deal with them, as in other democratic countries."

It concluded: "Amending the constitution in this way will do nothing to improve the human situation nor will it help to resolve the dilemma faced by thousands of women annually in this sensitive matter."

This position was later endorsed by delegates following a debate at the 1983 Congress Annual Delegate Conference.

In September 2015, the Executive Council reaffirmed its position and offered its support to the Trade Union Campaign to Repeal the 8th Amendment.

In March 2016, delegates at our biennial Women's Conference overwhelmingly supported a motion noting that: "Access to sexual and reproductive health services is crucial to women's health and well-being and is also an international requirement under CEDAW."

The motion also stated that: "Women comprise more than half of the trade union membership in Ireland and it is unacceptable that they live in a country where the

law puts their health and lives at risk, criminalises them and forces them to travel abroad to avail of safe and legal abortion services.”

It concluded with a “demand that a referendum (to repeal the 8th) be held early in 2016.”

Conclusion / Recommendations

Congress notes the establishment of the Citizens’ Assembly to consider the matter of the 8th Amendment of the Constitution and to make such recommendations as it sees fit and report to the Houses of the Oireachtas. We welcome this opportunity to offer our views on this matter.

It remains our strongly held opinion that the first step in meeting their responsibility as legislators for the Oireachtas in this sensitive matter is to support a referendum to repeal the 8th Amendment.

Congress therefore requests the Assembly to recommend that the state immediately make the necessary arrangements to hold a referendum to remove Article 40.3.3 (the 8th Amendment) from the Constitution.

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