

F&L Defence of Unborn "Breathtakingly Arrogant" - UN Committee Chairman



On Tuesday, the UN Human Rights Committee in Geneva concluded its examination of Ireland with the chairman, Sir Nigel Rodley, describing Family & Life's submission as "breathtakingly arrogant", and denying that the unborn child is an existent human being. F&L was the only NGO out of 19 eligible to make direct oral interventions that defended the right to life of the unborn. Numerous pro-abortion NGOs were busy claiming that Ireland's abortion law should be made even more permissive than it is already.

The questioning of the Irish delegation covered a wide range of issues from penal reform to the corporal punishment of children to the percentage of women in the workforce, but much of the attention from the media and others was on the issue of abortion.

Of the nineteen NGOs that made written submissions to the Committee and were, therefore, eligible to make direct oral interventions at the formal NGO briefing session with the HRC, no fewer than five groups have as their main purpose pro-abortion campaigning. At least three others that campaign on a range of issues have strong pro-abortion positions. Only one of the 19, Family & Life, advocates the protection of the right to life of the unborn. Other organisations were present at the meeting, including both pro-life and pro-abortion groups, but these were not eligible to speak at the NGO briefing.

The pro-abortion groups were busy trying to persuade the Committee that Ireland's abortion law is extremely restrictive. The fact is that it permits abortion at any stage of pregnancy if two like-minded psychiatrists are prepared to certify that there is a real danger that a woman who threatens to commit suicide will do so. Of course, for most of these groups, anything short of abortion on request, throughout the nine months of pregnancy, for any or no reason, and preferably funded by the taxpayer, would be considered "restrictive".

Family & Life's oral intervention was made by its legal advisor Dr Thomas Finegan, **who emphasised that there is no such thing as a right to abortion in international human rights law**

; that the unborn child is recognised as a human rights subject by various international human rights law provisions; and that

UN Treaty monitoring bodies have no legal authority to issue binding interpretations

Dr Finegan **challenged the Human Rights Committee's apparent bias by observing that its questions to the Irish Government regarding abortion presuppose that abortion is some kind of "human right" and that the unborn child is neither a "human being" (Article 6(1) ICCPR) nor a member of the "human family" (preamble ICCPR).** Such presuppositions form no part of international human rights law.

Family & Life called on the HRC to protect unborn members of the human family, and the integrity of international human rights law itself, by disavowing a supposed "right" to abortion, including a right to abortion on the grounds of an unborn child's disability or the crimes of his or her father. Article 40.3.3 of the Irish Constitution, the provision which recognises the right to life of the unborn, should be lauded on human rights grounds, F&L argued, not criticised.

The Irish Human Rights and Equality Commission, the Irish Council for Civil Liberties, and the Abortion Rights Campaign all made oral interventions denying the right to life of the unborn. Among the other pro-abortion NGOs urging the HRC to pressure Ireland to make its abortion law even more liberal were the US-based Center for Reproductive Rights, the Irish Family Planning Association (the Irish affiliate of Planned Parenthood), and the Women's Human Rights Alliance, a project of the National Women's Council of Ireland which, like many pro-abortion groups in Ireland, has **received lavish funding from US billionaire Chuck Feeney through his Atlantic Philanthropies**

At the NGO briefing Family & Life challenged Prof Veronica O'Keane (Doctors for Choice) over her claim that Irish abortion law should be further liberalised . F&L pointed out that that the 2013 abortion law was based on faulty science and that there is no such thing as a right to abortion in international human rights law. This is the same Prof O'Keane who gave testimony to the Irish parliament's joint Committee on Health last year to pave the way for the enactment of Ireland's abortion law. At that time she did not present herself as a pro-abortion campaigner from Doctors for Choice, but as an expert in psychiatry.



Making the case for the Irish government, Minister for Justice Frances Fitzgerald described

abortion as a "treatment" and Mary Jackson, an official from the Department of Health, claimed that the abortion law strikes a "balance" between the right to life of the unborn and the right to life of the mother. She did point out, however, that Article 40.3.3 is in conformity with the UN Convention.

The pro-abortion pressure intensified the second day when Mr Cornelis Flinterman, a Dutch member of the HRC, made Ireland's allegedly "restrictive" law on abortion the sole focus of his intervention, suggesting that refusing a woman an abortion constitutes cruel and degrading punishment. The Committee's chairman, Sir Nigel Rodley (UK), echoed Flinterman's concerns and claimed that, because some women can afford to travel from Ireland to Britain for abortions and others cannot, this constitutes discrimination on the grounds of wealth or social class.

In a private discussion with one of the most vocally pro-abortion members of the HRC, a Family & Life representative got him to concede the validity of a number of the points F&L was making. This however, sadly but predictably, was not reflected in his public comments.

While the Irish government insists that it has no plans to further widen Ireland's abortion law, Family & Life's David Manly notes that the existing law, contrary to the government's repeated claims is already extremely liberal and wide open to serious abuse. "The assertions of the various self-styled "experts" of the Human Rights Committee will be seized on by pro-abortion groups in Ireland and overseas to push for further changes," Mr Manly said, "and the Center for Reproductive Rights is pushing a separate complaint against Ireland with the HRC, seeking explicit provision of abortion where an unborn baby is diagnosed with a serious illness. The battle to restore protection for the right to life of unborn babies in Ireland will continue, and Family & Life will not rest until the rights recognised by Ireland's Constitution are once again given meaningful effect."

Family & Life. July 15.