



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

## **NI Human Rights Commission's Oral Statement to the 41<sup>st</sup> Session's Pre-Session on the Universal Periodic Review of the United Kingdom**

**29 August 2022**

Thank you for the opportunity to discuss implementation of recommendations from the third cycle of Universal Periodic Review in the UK. I represent the Northern Ireland Human Rights Commission, one of three A-status NHRIs working across the UK.

Today we draw your attention to four issues of particular concern in Northern Ireland –Our Commission's Powers and budget, reform of the Human Rights Act, conflict related investigations and access to reproductive healthcare.

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### **NIHRC Budget and Powers**

First, the Commission is seriously concerned that its current funding arrangement is insufficient to fulfil its mandate. This concern is shared by GANHRI's Sub Committee on Accreditation, which has deferred the Commission's reaccreditation pending an independent review.

It is a worrying time for human rights in the UK. It is important that NHRIs, such as ours, have adequate, secure funding and sufficient powers. It is paramount that our Commission maintains its A-status and can function as a robust NHRI in practice. It is essential that the Sub-Committee's concerns are addressed to ensure our compliance with the UN Paris Principles and that we can fulfil our statutory functions.

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## **Reform of the Human Rights Act**

Second, the UK Government's proposals to replace the Human Rights Act with a Bill of Rights for the UK.

Such a Bill should strengthen human rights protections and build on the success of the Human Rights Act. This Bill's current draft does the opposite. It contradicts fundamental human rights principles and creates barriers to effective remedy. Specific to NI, the UK Government committed, through the Belfast (Good Friday) Agreement, to the full incorporation of ECHR rights, including direct access to courts. The current Bill weakens this commitment and undermines NI's devolution settlement, peace agreement and Article 2 of the Ireland/Northern Ireland Protocol.

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## **Conflict related investigations**

Third, the Northern Ireland Troubles (Legacy and Reconciliation) Bill (among other things) purports to create an independent body that will conduct investigations into deaths and serious incidents resulting from the NI conflict. It also proposes introducing a conditional immunity scheme for certain Troubles-related offences. The Commission is gravely concerned that the Bill is not compliant with the right to life and freedom from torture. As currently drafted, the proposed investigative body is not independent in practice and its mandate does not satisfy investigation-focused procedural obligations. The proposed immunity mechanism applies to offences where immunity should not be an option.

The Bill is staunchly opposed within Northern Ireland, including among victims, survivors and their families. The fundamentals of the Bill require immediate reassessment, which should take place through meaningful engagement. The result should be victim-centred and human rights compliant, which is not delivered by the present Bill.

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## **Reproductive Healthcare**

Finally, despite the decriminalisation of abortion in 2019, there continues to be a lack of formally commissioned abortion services in Northern Ireland, as well as a lack of guidance on implementing services legislated for within the Abortion Regulations. As a consequence of the limited or non-availability of services, many women and girls are forced to travel to the UK and Ireland or access medication online.

Considering the absence of a Northern Ireland Assembly, we call upon the UK government to take immediate action to ensure complete access to safe abortion services across Northern Ireland.

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**Thank you for your time, we are happy to take any questions you may have.**