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مجلس حقوق الإنسان

الدورة الرابعة عشرة

البند ٣ من جدول الأعمال

تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما فيها الحق في التنمية

معلومات مقدمة من لجنة آيرلندا الشمالية لحقوق الإنسان*

مذكرة من الأمانة

تحيل أمانة مجلس حقوق الإنسان طيه الرسالة المقدمة من لجنة آيرلندا الشمالية لحقوق الإنسان**، وهي مستنسخة أدناه وفقاً للمادة ٧(ب) من النظام الداخلي الوارد في مرفق قرار المجلس ١/٥ والتي تنص على أن مشاركة المؤسسات الوطنية لحقوق الإنسان تتحقق استناداً إلى ترتيبات وممارسات وافقت عليها لجنة حقوق الإنسان، بما في ذلك القرار ٧٤/٢٠٠٥ المؤرخ ٢٠ نيسان/أبريل ٢٠٠٥.

* مؤسسة وطنية لحقوق الإنسان اعتمدها لجنة التنسيق الدولية للمؤسسات الوطنية لتعزيز وحماية حقوق الإنسان ضمن الفئة "ألف".

** مستنسخة في المرفق كما وردت وباللغة التي قدمت بها فقط.

Annex

Statement of the Northern Ireland Human Rights Commission on the Bill of Rights for Northern Ireland

The Northern Ireland Human Rights Commission's role on a Bill of Rights for Northern Ireland

The peace process in Northern Ireland has reached a significant moment with many of the proposals from the Belfast (Good Friday) Peace Agreement (1998) having been implemented. However, one of the proposals, for a Bill of Rights for Northern Ireland, remains outstanding. It was agreed that the Northern Ireland Human Rights Commission, an independent, statutory body established in 1999 under the terms of the Belfast (Good Friday) Agreement, would provide the advice on such a Bill of Rights. On 10 December 2008 the Northern Ireland Human Rights Commission fulfilled its mandate to do so and submitted its advice to the Secretary of State for Northern Ireland. Both the UK and Irish Governments agree that this proposal for a separate Bill of Rights for Northern Ireland remains an outstanding issue from the Belfast (Good Friday) Agreement.

The Commission's Advice

Following eight years of consultation and a wide-ranging societal debate from 1 March 2000 until 10 December 2008, the Commission concluded that:

- Existing provisions of the European Convention on Human Rights could be supplemented.
- The Bill of Rights for Northern Ireland should respect the internationally recognised principle of indivisibility through the inclusion of justiciable social and economic rights.
- A Bill of Rights for Northern Ireland should not undermine existing guarantees and protections.
- A Bill of Rights for Northern Ireland should build on, and not undermine, the UK Human Rights Act 1998.

The UK Government's response was published on 30 November 2009. It is the Commission's view that the government response demonstrates a lack of understanding of the purpose and functions of a Bill of Rights; fails to take appropriate account of international human rights standards; appears to suggest the lowering of existing human rights protections; and misrepresents the advice given by the Commission on human rights protections.

Next Steps

The people of Northern Ireland supported the proposal for a Bill of Rights in a referendum, regarding this foundational document as an important transitional justice mechanism that would leave a lasting and credible legacy for future generations. There is some concern now that this constitutional project that has spanned decades may now be abandoned. The UK Government should now provide a clear and public commitment to embark on the next steps in order to create a Bill of Rights for Northern Ireland, taking into account the advice given to it by the Northern Ireland Human Rights Commission in December, 2008.