



5 December 2020

PRESS RELEASE

Equality and Human Rights Protections post-Brexit

From 1 January 2021 the Northern Ireland Human Rights Commission and Equality Commission for Northern Ireland will have new roles to protect certain human rights and equality rights as the UK leaves the European Union.

Under the Ireland/NI Protocol to the Withdrawal Agreement reached with the EU, the UK Government has committed to ensuring that there is no reduction of rights, safeguards and equality of opportunity under the section of that title in the Belfast (Good Friday) Agreement as the UK withdraws from the EU. Quite a mouthful, but an important mouthful, nonetheless. It is an important recognition of the Belfast (Good Friday) Agreement and its underpinnings by equality and human rights protection for everyone in Northern Ireland.

This commitment is both welcome and important. It means, for example, that the NI Assembly, the NI Executive cannot act in a way that would reduce certain equality and human rights here as a result of Brexit. The commitment also ensures that some of Northern Ireland's equality laws will keep pace with future changes to EU equality laws, those covering equal treatment, including in the area of employment, access to goods and services and social security.

To ensure this commitment is met, a 'dedicated mechanism' has been created, comprising the two Commissions. The two Commissions will also work with the Irish Equality and Human Rights Commission to provide oversight of equalities and rights that have an Island of Ireland dimension.

The two Commissions have been given powers to monitor and report on the implementation of the commitments and, where necessary, to assist individuals in Northern Ireland to bring legal complaints, to intervene in legal challenges or to bring cases in our own names. We will also be providing advice to Government on how it is complying with its commitment.

Little did the negotiators of the 1998 Agreement realise that the Rights section of the Agreement would be pored over in light of a decision of the UK to leave the European Union over two decades later. The section covers specific rights including the right to free political thought, to freedom and expression of religion, to freely choose one's place of residence, to equal opportunity in all social and economic activity regardless of class, creed, disability gender or ethnicity, the right to freedom from sectarian harassment and the right of women to full and equal political participation. It also covers the rights of victims to remember and contribute to a changed society plus respect, understanding and tolerance for linguistic diversity.

We will be ready to take on our new oversight roles from January 2021, to ensure that certain key equality and human rights in Northern Ireland continue to be protected following leaving the European Union.

If you have any queries, please visit our websites or telephone us at www.nihrc.org (02890 243987) and www.equalityni.org (02890 500600).

Joint article by Les Allamby, Chief Commissioner, Northern Ireland Human Rights Commission and Geraldine McGahey, Chief Commissioner, Equality Commission for Northern Ireland

Article as published by the Belfast Telegraph on 5 December 2020