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Three Commissions Launch Research and Policy Recommendations: The Impact of Brexit on the Divergence of Rights and Best Practice on the Island of Ireland

The Belfast (Good Friday) Agreement has been significant in improving equality and human rights in Northern Ireland. Twenty-five years on from this Agreement, there are concerns about the impact of Brexit on these rights.

People in Northern Ireland already have fewer equality and human rights protections in some areas than their counterparts in Ireland and Great Britain. The Equality Commission for Northern Ireland, the Northern Ireland Human Rights Commission and the Irish Human Rights and Equality Commission are warning that this disparity will widen further if the UK Government does not act.

Before Brexit, many EU laws were automatically applicable in Northern Ireland, the rest of the UK and Ireland. This helped ensure alignment of equality and human rights laws across all of the UK and Ireland.

The UK Government has made a commitment that certain protections in place in Northern Ireland regarding the rights, safeguards and equality of opportunity provisions will not be reduced now that the UK has left the EU. It also committed that certain Northern Ireland's equality rights laws will keep pace with future EU equality law changes.

As part of their joint responsibilities under Article 2 of the Windsor Framework the three Commissions have launched at today's event an independent research report, alongside their recommendations for action, looking at the impact of Brexit and the risk of widening gaps in rights across the island of Ireland.

Co-author of the report Dr Eleni Frantziou, Associate Professor in Public Law and Human Rights at Durham University, presented key findings from the research. The event then heard responses to these key findings from Professor Christopher McCrudden, Queens University Belfast, Annmarie O'Kane, Centre for Cross Border Studies and David Fennelly, Free Legal Advice Centres.

Chief Commissioner of the Irish Human Rights and Equality Commission, Sinéad Gibney, said:

In today's challenging post-Brexit world, the work of our three commissions in

securing equality and human rights for everyone across our island is more important than ever. We continue to work together to address any divergence on the island of Ireland.

Equality and human rights protections are the basic building blocks for a peaceful and prosperous society on our shared island. That's why we're recommending that the Irish Government, the Northern Ireland Executive, and UK Government work to enhance and harmonise equality and human rights protections on the island, aligned to their respective remits, and make a clear commitment to working towards ensuring North-South equivalence."

Alyson Kilpatrick, Chief Commissioner of the Northern Ireland Human Rights Commission, said:

"The protection of human rights is central to the Belfast Good Friday Agreement. The UK Government committed to the incorporation of the European Convention on Human Rights (ECHR), which was achieved through the Human Rights Act 1998. The Agreement is clear that compliance with the ECHR is an important 'safeguard' to the peace process in Northern Ireland. A Bill of Rights for Northern Ireland remains an outstanding commitment of the Agreement and in the context of wider threats to human rights could provide further reassurance. Article 2 of the Windsor Framework is an important protection, but it is no substitute for a comprehensive human rights framework."

Speaking for the Equality Commission for Northern Ireland, Chief Commissioner Geraldine McGahey said:

"Equality is at the heart of the Belfast Good Friday Agreement and EU laws have contributed significantly to enhancing these rights. Twenty five years on from that Agreement, there are still significant gaps in protection that need to be addressed, and post Brexit, there is a risk that the gaps will widen further.

"The UK Government must uphold its commitments on equality and human rights in Northern Ireland. Our equality laws must be strengthened, in line with international best practice."

The Commissions will now seek to meet with government officials to highlight their joint research findings and recommendations to ensure that equality and human rights continue to be protected and strengthened in Northern Ireland.

Note to Editor

[Download the Full Policy Recommendations \(pdf\)](#)

Download the report [Equality and rights on the island of Ireland after Brexit: Annual Joint report on IHREC, ECNI and NIHRC on the implementation of Article 2 of the Ireland/Northern Ireland Protocol \(pdf\)](#)

To find out more about the UK Government's commitment under Article 2 of the Ireland/Northern Ireland Protocol or about making a complaint in the event of an alleged breach of this commitment, visit www.equalityni.org/brexit or the Northern Ireland Human Rights Commission <https://nihrc.org/our-work/brexit>